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THE

PROSPECT

BEFORE US.

VOLUME I.

BUT, SIR! IT HAS AN AWFUL SQUINTING! IT SQUINTS AT MONARCHY! P. HENRY.

By Jas. Thompson Callender

4418.64

RICHMOND,—VIRGINIA:

PRINTED FOR THE AUTHOR, AND SOLD BY M. JONES, S. PLEASANTS, JUN. AND J. LYON.—1800.

[PRICE ONE DOLLAR.]

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PREFACE.

THE design of this book is to exhibit the multiplied corruptions of the Federal Government, and more especially the misconduct of the President, Mr. Adams.

In the course of printing, it was discovered that the manuscript would far exceed the limits at first proposed; and that, in order to complete the work, it will be necessary to publish a second volume. This can, perhaps, be done sometime in summer next. I am solicitous that the remainder of the work should get into circulation, previous to the approaching appointment of electors for the fourth Presidency. Every day augments the probability, that nothing but the dismission of Mr. Adams can save the United States, either first or last, from the calamities of a French war. It is true that a peace may, for the present, be formed. But while government news-papers continue to revile the whole French nation, we cannot expect that reconcilement is to be durable. The danger becomes the greater, because we can hope for nothing from England but the worst offices, as the consequence of her antient hatred, and of the unavoidable dissolution of Jay's treaty.

This publication originates from a genuine concern for the welfare of mankind. But that welfare cannot be promoted by commending their follies, or by varnishing their crimes. The almost universal imperfection of history consists in this, that the author celebrates his own countrymen, as the most virtuous and excellent of the human race. In point of individual character, civilized nations are closely upon a level. It is not worth while to say much about the virtues of any particular people upon earth, for, in most instances, the better that you know mankind, the less you will trust them. All over the world, political transactions are pregnant with absurdity and guilt; while every country has its own little knot of historians, who teach their fellow-citizens to believe that *they* are the most valuable portion of the human species.

From this kind of weakness, I hope that the present volume is free. The faults of all parties, and of the nation collectively, have been told with candour, and without reserve. It is neither by flattering, nor by scolding mankind, that you can hope to reform them. In this book, the middle stile is chosen; and no diligence has been spared in the search for accurate information. Yet, when examining a multiplicity of complicated subjects, it is difficult to escape the probability of being sometimes mistaken; and in relating a succession of facts, where every step excites contempt or detestation, it is difficult to avoid an occasional se-

verity of expreſſion. Even this will be pardoned, if it cannot be defended, when I am to deſcribe ſcenes of plunder, which might force a bluſh into the beak of the moſt hungry cormorant, that ever took his flight from Connecticut to rooſt on the Federal Treaſury.

Many of the matters here brought forward, are treated but at half their proper length. Such, for example, is the law for obſtructing the ſale of the weſtern lands. The examination of the bribery diſpatches, as well as that of the counter addreſs of the minority of Delegates, breaks off, alſo, in the middle. The Algerine buſineſs was much more expenſive than it is here deſcribed to be, for I was obliged to ſtop ſhort from want of room. The documents which I had collected concerning the ſhameful waſte of public money, would fill many an additional ſheet of paper. All theſe chaſms are to be ſupplied in the ſecond volume. But I was anxious to compriſe in the preſent one an extenſive diverſity of contents, that readers of all ſorts may be ſure to find ſomething leſs, or more, that ſhall hit the particular taſte of each of them. I am always afraid of ſaying a great deal at once, upon any one ſubject, for fear of becoming tireſome. By the ſubſequent deſultory mode of writing, by paſſing ſo frequently from one end to another of federal hiſtory, ſomething may be loſt in point of regularity, but much more is gained in the *ſuperior* probability of fixing the reader's attention. When you cannot gueſs what is to come in the next page, your mind is kept more upon the watch.

With regard to the language of this book, it may be proper to ſay ſomething farther. In 1794, Mr. John Taylor publiſhed *An enquiry into the principles and tendency of certain public meaſures.* The whole ſcope of his pamphlet goes to prove that, in a croud of inſtances, Congreſs have broke through the conſtitution. —Mr. Taylor dwells, with peculiar emphaſis, upon the charter of the bank of the United States. He proves, what is indeed very plain, that this act, broke through the conſtitution, which Congreſs had ſworn to ſupport. Grounding upon the reaſon of the caſe, and emboldened by a precedent ſo ſtrong as his, I have mentioned this act of Congreſs by its proper title, to wit, as an act of *perjury*. In another place, I have quoted a letter publiſhed by Mr. Taylor, wherein he explains the neceſſity for ſending Timothy Pickering to *a mad houſe*. With ſuch a ſpecimen of frankneſs, it will hardly be ſaid that my ſtile is a great deal broader than that of Mr. Taylor.

As the authority of this writer is, and very deſervedly, of the greateſt weight, I ſhall here quote from his Enquiry, ſome detached paſſages. " The idea of a bank does not appear to have " been contemplated, or diſcuſſed, in the minuteſt degree, by the

" convention, which framed the conſtitution. And not a trace " of ſuch an idea, is to be found in the inſtrument reſulting from " their deliberations.—A member of Congreſs, debauched by a " profitable banking intereſt, ceaſes to be a *citizen* of the United " States, or an *inhabitant* of the ſtate which chuſes him, *as to the* " *purpoſes* of the conſtitution. He becomes a citizen and inhabi- " tant of Carpenters Hall.—The bank realizes the doctrine of " tranſubſtantiation upon a member of Congreſs. He goes, one " thing, and by adminiſtering to him *quantum ſufficit* of paper, " he is converted to another.—Even ſchool boys ridicule and con- " temn the corruption which guides the Britiſh parliament, ac- " cording to the will of a miniſter. They have ſufficient pene- " tration to diſcern, that the ſyſtem is *a cheat*, exhibiting the pic- " ture of liberty, in lieu of the ſubſtance. Compare the two ca- " ſes," [Mr. Taylor means the two governments of BRITAIN and AMERICA.] " and point out, if you can, a differ- " ence."

Nothing can be more forcible, or more correctly founded, than this charge. " Search," ſays Mr. Taylor, " and you will ine- " vitably find" [mark his words!] " A PRESENT ACTING USUR- " PATION; for if the proceedings of government are inconſiſtent " with the principles of the conſtitution, there is *nothing to juſtify* " *them.*"

Neither is Mr. Taylor ſingular in theſe opinions. He only repeats what has been the profeſſed and firm belief of nine tenths of all the ſenators and repreſentatives whom Virginia has ever ſent to Congreſs. General Lee, for inſtance, has always ſpoke with abhorrence of Hamilton's funding ſyſtem, and General Marſhall, with all his barbacues, found it neceſſary to tell a number of his electors, that his principles were like thoſe of Mr. Clopton. I ſhall quote a few lines more from Mr. Taylor, and then conclude: " ſlavery," ſays he, " when impoſed by antient ambition, was " ſoftened by a military generoſity of diſpoſition; but from the " modern, ſordid, money-loving meanneſs of mind, what meli- " oration can be expected?"

Hear him, likewiſe, upon the funding ſyſtem. " It was ſo " contrived," ſays he, " as to enable ſpeculators and monied men, " to *defraud* the great bulk of the community of their paper pro- " perty; as to transfer it, from thoſe who earned it, to thoſe who " *pilfered it*, either by ſuggeſting falſehoods, or concealing truths; " as to concentrate it in a few hands, ſo that it could be applied " with impreſſion, and poſſeſs activity, as *a political machine*; and " as to the true owners, by way of retribution for their property, " [they got] a burthenſome tax." Behold the legiſlators who calumniate governor Monroe!

RICHMOND, *January* 10*th*, 1800.

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THE PROSPECT, &c.

CHAPTER I.

Remarks on an Address to Mr. Adams.—His answer.—Examination of it.—Causes for adopting the Federal Constitution.—General observations on the government of your own choice.—*Interesting memoirs of the last election for President.*

In June, 1798, ſome officers and ſoldiers of the Jerſey militia tranſmitted an addreſs to Preſident Adams. They did not acknowledge an implicit approbation of his conduct. They declared their diſbelief "that the adminiſtration of our government has, in all ca-"ſes, been *absolutely perfect!*" They explained their averſion to an Engliſh alliance, and a French war. They aſcribed the calamitous ſituation of the United States to the influence of "*interested com-*"*mercial characters*," and of the internal faction that had formerly reſiſted the American revolution. They warned Mr. Adams to beware of ſurrounding flatterers, and of men who panted to ſpeculate in the ſpoils of war. John Fenno arraigned their production as "*infamous.*" The Preſident gave them an anſwer, which has excited the following obſervations.

"Your government," ſays Mr. Adams, "is not, I hope, to be "called a party; if a government of *your own choice* is a party, how "can you obtain one which will not be ſo?" Under the general phraſe of *government*, Mr. Adams here attempts to confound the conſtitution, and its officers. Theſe are two matters entirely diſtinct. As ſuch, they ſhall be ſeparately diſcuſſed. I begin with the *form* of government, that is, the preſent federal conſtitution.

This ſyſtem was, after a violent ſtruggle, adopted by a majority of the people. One reaſon or conceit, which led them to this meaſure, was leſt the United States ſhould be invaded and partitioned by ſome foreign power. For the laſt ten years, our public tranſactions have often originated in falſe alarms, operating on the public mind like as many ſhocks of electricity. At one time, Genet was to overturn the government. When that bugbear vaniſhed, the Weſtern mob, ſo carefully foſtered into conſequence by Hamilton, was to cover the continent with carnage and deſolation. The third annual panic

arose in July, 1795, on the publication of Jay's treaty. By democratical demonstration, the whole shipping of America was, in two years at farthest, to be annihilated. Nine months after, we found out that this very bargain was the best imaginable, and that nothing but an immediate acceptance of it, could save our foreign commerce from extinction. This was in 1796. The periodical tremor of 1797 began by the recall of Adet from Philadelphia, the rejection of Pinckney at Paris, the torrent of French piracy that burst upon our navigation, and our consciousness of having, in some measure, deserved the vengeance of the republic. Men of sense recollected the impertinence of our presidential speeches regarding France, the brutality of newspapers hired by British ambassadors, and patronized by the federal party, and, above all, the ever infamous desertion of our allies and benefactors, consummated by Jay's treaty. In 1798, America did, for once, assume an appearance of resolution. To meet the approaching war, congress voted for preparations to the amount of about fourteen millions and six hundred thousand dollars; and after all this additional vortex of debt, we discover that the last annual alarm has been equally false with each of its predecessors. The French were provoked to plunder, but they have hitherto refused to fight.

I now return to the tremor of 1787, by which the "government "of *your own choice*," viz. the federal constitution, was crammed down the gullet of America. The first grand argument for adoption was the danger existing from external conquest. This could only be attempted upon three quarters. First, by the English, a people whom the Americans had just before beaten, and who, during that very period, were successively on the brink of war with France, Holland, and Russia. Second; France might possibly have invaded this country; but her exchequer was bankrupt, and she was, of course, incapable of fighting. Third; Spain could have disturbed the United States, but her councils are always pacific. For the last hundred and fifty years, her vigour has been broken, and she has never once gone to war, but when kicked into it by the ambition of France or England. In short, at the time in question, the powers of Europe were occupied in plotting the destruction of each other. They had no leisure for thinking of America. Patrick Henry, and his friends in the convention of Virginia, could not force Mr. Madison's majority to comprehend this very plain fact. The dread of foreign conquest was, in 1787, as ridiculous as that of witchcraft, for which Mr. Burroughs, once a parson of Salem, was hung by the saints of the last century.

There was another capital argument for framing a new constitution. Rhode-Island refused to pay her share of the expence of the war, or of taxes to discharge it. "Rhode-Island," said Mr. Randolph, "has been in one continued train of opposition to national "duties and integrity. They have defrauded their creditors by "their paper money.—Rhode-Island and Connecticut have been on "the point of war, on the subject of their paper money."* "The

* Debates in the Convention of Virginia, vol. i. p. 86—91. As

" ſmalleſt ſtate in the Union," ſaid Mr. Madiſon, " has obſtructed " every attempt to reform the government. That little member," [a mere wart on the ſurface of the confederation] " that little " member has repeatedly diſobeyed and counteracted the general " authority ; nay, has even ſupplied the enemies of its country with " proviſions."† Mr. Madiſon adds that the other twelve ſtates had once agreed on certain meaſures, which were thought neceſſary for the general ſafety, and which Rhode-Iſland‡ defeated by refuſing her aſſent. This ſtate comprehends about a ſeventieth part of the federal population ; and perhaps about a ſeven hundred and ſeventieth part of the federal territory. Inſtead of altering the old government on account of Rhode-Iſland, the other ſtates ought to have aſcertained her quota of the public debt. A military force ſhould then have raiſed annual inſtalments from this corner for diſcharging that quota. Inſtead of bringing the mountain to Mahomet, congreſs ſhould have brought Mahomet to the mountain. A few fathoms of tight cordage might alſo have been ſtored for the accommodation of thoſe worthy citizens, who ſold proviſions to the Britiſh army. Inſtead of chaſtiſing this gang of renegadoes, for ſuch Randolph and Madiſon did, in ſubſtance, deſcribe them to be, the continental union preſſed them to its boſom ; nay, they were granted a weight in congreſs equal to that of the largeſt and moſt amicable ſtates in the union. By a moſt abſurd clauſe of the conſtitution, the Senate, although they are at preſent above three times leſs numerous than the other houſe, can negative any law ; juſt as if a ſenator was likely to be a wiſer or better man than a repreſentative. Hence the Houſe of Repreſentatives, the only republican branch of the conſtitution, is hardly better than a popular ſtalking horſe. And thus Rhode-Iſland, by her two ſenators, has, in the laſt reſort, as much power as any other ſtate, of ten times her real conſequence. We pretend to laugh at the inequalities of Engliſh repreſentation. Clithero and Newton, two petty villages in Lancaſhire, ſend between them four members to parliament ; while the county at large, containing at leaſt thirty thouſand freeholders, elects but two.‖ Delaware and Rhode Iſland bear much the ſame proportion to the continent that theſe two villages bear to Lancaſhire. Their ſenators have, in general, ſupported all the worſt and leading meaſures of the ariſtocracy. Without them, the Britiſh treaty muſt have died in the cradle.

The admiſſion of the two Lilliputian ſtates to an equal number of ſenators with the larger ones was eminently ridiculous. The accep-

NOTES.

for cheating their creditors, think of the tender-laws, by which a thouſand dollars were often paid with one. Certain proceedings in Kentucky are ſaid to be much about the ſame ſtandard. In abſence of its owner, a large tract of land is ſometimes ſold for half nothing to pay a few ſhillings of ſtate taxes.

† Ibid, p. 97.

‡ Then commonly called *Rogue's Island*.

‖ See Mr. Erſkine's ſpeech on the trial of Thomas Walker.

tance of Rhode Iſland, with all her miſdemeanors, on ſuch terms, was as if the aſſembly of Pennſylvania had voted to ſend to New Orleans for David Bradford, and to elect him Preſident of their Senate. No particular diſreſpect is here aimed at Rhode Iſland, a ſtate ſo honourably diſtinguiſhed from the reſt of New England by its abhorrence of eccleſiaſtical uſurpation. I take only the ſpecial ground occupied by the orators of Virginia; and the concluſion here drawn ariſes from their own premiſes. With a great ſtate, like New-York, it might be neceſſary to temporiſe, but not with Rhode Iſland. The two reaſons above explained for adopting the new government were very ſhallow. Put the caſe that the ſtates were now independent of each other, and that a foreign army lands at Norfolk. Volunteers would throng againſt it from every part of the country. The burſt of national ſenſibility would, in a moment, overwhelm all the bulwarks that ſophiſtry or faction could endeavour to raiſe againſt it.

A third argument for adopting this government of *your own choice* was the advantage that congreſs would poſſeſs over individual ſtates *in framing commercial treaties with foreign nations.* This motive was plauſible, and it became "a *principal* cauſe of the formation of "the conſtitution."* Mr. Page, among others, has fully demonſtrated in what way Mr. Waſhington broke the conſtitution, with reſpect to this point. He obſerves that the power of regulating commerce with foreign nations, and Indians, is, by that paper, aſſigned to Congreſs: yet, in defiance of this principle, Mr. Waſhington entered into a commercial treaty with England. He got it accepted of by two thirds of the Senate. He then publiſhed it, as the law of the land, before the ſubject had ever come before the repreſentatives. He could not have committed a more net and pure violation of his oath to preſerve the conſtitution, and of his official truſt; or a groſſer perſonal inſult on the repreſentatives; for he well knew that a large majority of that houſe were againſt the treaty. The preſent condition of our commerce proves that this *third* argument for adopting the federal ſyſtem has iſſued in perfect deluſion, diſappointment, and diſgrace. Beſides a million of proofs adduced in my former volumes, and which, for five years paſt, have choaked up the newſpapers, attend to your late ambaſſador, Mr. Monroe. "We are made "faſt by treaty," ſays this excellent writer, "and by *the ſpirit of* "*thoſe at the helm*, to a nation bankrupt in its reſources, and ra-"pidly verging either to anarchy or deſpotiſm. Nor is this all. "Our national honour is *in the duſt;* we have been kicked, cuffed, "and plundered, all over the ocean; our reputation for faith ſcout-"ed; our government and people branded as cowards, incapable of "being provoked to reſiſt, and ready to receive again thoſe chains "we had taught others to burſt. Long will it be, before we ſhall "be able to forget what we are, nor will centuries ſuffice to raiſe

NOTE.

* Vid. an addreſs to the citizens of the diſtrict of York in Virginia, by John Page, eſq. dated Auguſt 5th, 1796, p. 13.

" us to *the high ground* from which we have fallen."* The laſt ſentence is too ſtrongly expreſſed. Nations, like individuals, are fond of thinking themſelves admired, and that they ſtand upon high ground, with other people. " It is granted," ſays an old Scotſwoman, " that there is no ſuch climate as *ours*." The Engliſh think themſelves envied by the French, and Raynal ſays that the French are admired by the whole world. The picture drawn by Mr. Monroe is, upon the whole, rigidly correct, and if we are not quite incurable, it muſt extinguiſh our admiration for the preſidential talents of Mr. Waſhington.

A fourth federal argument had more real weight than perhaps all the other three. " The conſtitution was eſtabliſhed for the purpoſe " of paying the debts of the United States, which the Congreſs, un- " der the old confederation, could not pay."† This proſpect has proved as abortive as that of the protection of our trade. Inſtead of growing leſs, our public debt is conſtantly growing larger. From the prodigal ſpirit of government, there is no chance that it ever will be paid. From the ſcandalous way in which it was raked together, there is no honeſt reaſon to wiſh that it ever ſhould be paid, with the ſingle exception of the foreign debt. Take notice of the following particulars, and then judge what chance remains, that this public debt will ever be extinguiſhed; and what a precious bantling *your own choice* of a government has proved to be.

The conſtitution‡ warrants congreſs " to pay the debts of the " United States." Theſe conſiſted of two claſſes, the domeſtic debt, and the foreign debt. On January 1ſt, 1790, they amounted collectively to fifty-four millions, three hundred and ſixty-two thouſand dollars. At this point the authority of government ſtopt. But a majority of the members had been gambling, as all the world knows, in the domeſtic debt; and with a view to ſhelter that black tranſaction from infamy, they comprehended in the ſame ſtatute a maſs of debt due by individual ſtates.‖ Congreſs had preciſely the ſame title to have included the whole ſums reciprocally due between private citizens. The latter adoption would have been juſt as regular as the former. By the thirteenth ſection of a ſtatute of Auguſt 4th, 1790, they authoriſed a loan of twenty-one millions, five hundred thouſand dollars, to aſſiſt them in ſupporting this aſſumption of ſtate debts. The certificates of debts due by individual ſtates, and which had been iſſued by them as pledges to their private creditors, were, under certain reſtrictions, to be received at the federal treaſury as current caſh, in part of the loan; of conſequence, the federal treaſury was to reimburſe itſelf by recourſe upon the individual ſtates for payment of theſe certificates. Thus the young government ſqueezed itſelf into an additional labyrinth of accompts, which the

NOTES.

* A view of the conduct of the executive, &c. p. 66.

† Page, p. 21.

‡ Article i. Section viii.

‖ Hiſtory of 1796, Chap. vi.

age of Methuſalem would have been too ſhort to diſentangle. A complete explanation of this aſſumption could not be compreſſed within an hundred ordinary pages. I ſhall, for this time, quit the ſubject with two ſhort quotations. "The creditors of the general go-"vernment," ſays Mr. Page, "who ſaw the new congreſs pledging the "faith of government to pay twenty odd millions of a *new* debt, vo-"luntarily, unexpectedly, and *unnecessarily* aſſumed, had good rea-"ſon to be alarmed and diſcontented."* This author ſat eight years in congreſs. He is a perſon of ſingular probity, of that *Arcana simplicitate morum*, which poetry† ſometimes aſcribes to her favorites. He goes on to remark, that this *assumption* was a direct breach of the conſtitution. The inference muſt be that every member of congreſs who voted for it, committed perjury. Of this affair, Mr. Findley ſpeaks in a ſtile yet more harſh and contemptuous than that of Mr. Page. "It muſt have been" ſays he, "a diſgraceful ſcram-"ble for the public ſpoils. Great as the aſcendancy of the ſe-"cretary (Hamilton) was, and prevalent as the influence of venali-"ty and ſpeculation had become in congreſs, this meaſure did not "paſs without great oppoſition, and was even once rejected. Nor "could it finally be carried, if the diſgraceful ſpeculation and ve-"nal bargaining about the ſeat of government, had not come to its "aid."‡ The two contending parties in congreſs are conſtantly re-preſenting each other to their conſtituents as the greateſt raſcals in nature. At the ſame time, our late admirable ſedition act ſays, that if any perſon ſhall endeavour to bring the Preſident and Congreſs into *contempt*, he "ſhall be puniſhed by a fine not exceeding two thou-"ſand dollars, and by impriſonment not exceeding two years." In conſequence of this law, Mr. Lyon ſpent a Canadian winter, almoſt without fire, in a neceſſary houſe, twelve feet wide, with a chain upon the floor in readineſs for his leg, his waiſt, or his collar. Citizens of Virginia! this is a page of your Magna charta. This is the reſpect paid to your repreſentatives. This is the perſonal ſecurity for which you wreſtled through eight campaigns. This is the "gov-"ernment of *your own choice*," in the ſweets of which you are permitted to revel by John Adams, by his war-hawks, his paper-jobbers, his federal judges, and his juries, appointed by himſelf.

And Hell, to be sure, is at Paris, or Rome.
How happy are WE, *that it is not at home!*‖

I return to the fourth argument in favor of adopting the federal conſtitution, viz. the extinction of the national debt. After ten years of peace, in place of its being diſcharged, the loans of 1798 will raiſe

NOTES.

* Page, p. 22.
† Vide. Martial and Buchanan.
‡ Review of the Revenue Syſtem, Letter 3.
‖ Swift, on the place of the damned.

it to almoſt ninety ſix millions of dollars. The Britiſh faction were never deſirous to reduce the public debt. Mr. Page ſays † that the aſſumption "had the appearance of being adopted with a view to "increaſe, and render *perpetual* the national debt." Such, to be ſure, was the very deſign.

In the convention of Virginia, the federal party urged a fifth argument. This was that the New-England people were determined not only to accept of the conſtitution themſelves, but, if neceſſary, to force it upon their ſouthern neighbours; and that rejection would bring upon Virginia an oriental army. This argument does not appear in the printed debates, but I learn it from one of the members. Perhaps it went no farther than private converſation. It is alſo affirmed that eaſtern people were ſometimes menaced with the federal indignation of the ſouthern ſtates. This double impoſture exactly ſquares with the whole ſyſtem of ariſtocracy.

Thus the five principal inducements to accept of the conſtitution are proved by common ſenſe, or experience, to have been abſolutely chimerical, and nothing better than hobby horſes. America ran no riſk of an invaſion. Rhode-Iſland, if culpable, ſhould have been chaſtiſed, inſtead of being pampered. The new government has neither protected external commerce, nor paid off domeſtic debt. The menace of civil war was contemptible. The ſtates may diſpute among themſelves as to their limits. But the militia will not be mad enough to ſhed much of their blood for land-jobbers, when there lies behind them a vacant ſpace of five millions of ſquare miles.

The "government of *your own choice*" met with long and violent reſiſtance to its adoption. In Virginia, it was carried by eighty nine votes againſt ſeventy nine. From ten to thirty of the majority, have long ſince repented of their vote. Moſt of thoſe evils predicted in the debates at Richmond have been minutely fulfilled. As for what a federal ſtate was to become, George Maſon foretold the whole. In Maſſachuſetts the federal queſtion was carried by an hundred and eighty ſeven votes againſt an hundred and ſixty eight. Georgia was poor and helpleſs. Her delegates were unanimous for adoption. They did not foreſee the Waſhington plan of defending, or rather of deſerting the ſouthweſtern frontier. In New-York, the conſtitution was accepted by thirty voices againſt twenty five; in Rhode-Iſland by a majority of two. In North-Carolina, it was at firſt rejected by a large majority.

Hence it follows that the new government was only preferred by *a part* of the people. On this account Mr. Waſhington hath ſince declared that *the federal conſtitution ſhould not have been adopted*. For, in his farewell letter of September 17th, 1796, he remarks that "the conſtitution which at any time exiſts, till exchanged by an "explicit act of the *whole* people, is ſacredly obligatory upon all."

NOTE.

† Page 22.

In Virginia, this conſtitution met not only with violent, but with at leaſt equiponderant oppoſition. In all the other ſtates, the people were greatly divided. All the atrocious artifices common at an ordinary election were exerted in ſupport of it. The five main arguments advanced in its favor have, as above, been ſeperately *weighed in the balance, and found wanting*. That the federal ſyſtem had been embraced by the *whole* people never was, nor could be pretended. Yet the firſt federal congreſs met, in defiance of the *conſtitution then exiſting*, and of the *ſacred obligation* referred to by Mr. Waſhington. They met on the ruins of the old confederation, and ſacrificed a variety of rights hitherto held as inviolable. They met when out of the thirteen ſtates, eleven only had acceded to the union.

But worſt of all, Mr. Waſhington himſelf conſented to officiate, as firſt magiſtrate, in a government, which he flatly declares to have been an uſurpation. For, on March 3d, 1789, when the firſt congreſs aſſembled, they bore about them every feature that correſponds with the definition of *traitors*, as juſt quoted from Mr. Waſhington himſelf. Such is the conſiſtency of his theory with his practice! By the Mount Vernon maxims, it is unlawful to reſiſt any hereditary maſter, unleſs *all* his ſubjects ſhall agree in the plan, a coalition that is utterly impoſſible. The doctrine, when examined, amounts exactly to *paſſive obedience* and *non-reſiſtance*. The farewell addreſs conveys an explicit cenſure not only upon the new government, but likewiſe upon the American revolution; for that alſo was accompliſhed by *a part* of the people, in deſpite of the reſt, and in breach of what is called the Britiſh conſtitution. By his own account, therefore, Mr. Waſhington has been twice a traitor. He firſt renounced the king of England, and thereafter the old confederation. This farewell paper contains a variety of miſchievous ſentiments. It was received in America with general rapture. In ſome ſtates, the aſſemblies entered this letter upon the record of their laws. Popular, and even legiſlative approbation, is, for the moſt part, but a miſerable commodity.

By the way, it is incomprehenſible how Mr. Waſhington came to think that he had any call to write ſuch a letter. As a private citizen, he might, at any time, even while in office, have properly communicated his opinions to the public. But in this letter, he writes not merely as preſident, but as ſomething more than an *ordinary* preſident. In his character as magiſtrate, his fellow citizens were to know nothing about him, but through the medium of Congreſs, and of its laws. The addreſs conveyed much oblique invective againſt the republican paty. It was a bait for popularity. Many ſuſpect that Mr. Waſhington printed it on the ſuppoſition that he would be courted to retain his ſituation. But the ſpirit of ſcrawling had juſt before exhauſted itſelf on the ſuperlative excellence of Jay's treaty. There was only one ſolitary addreſs from Shepherdſtown. The gentleman who chiefly promoted it undertook the matter for fear that a paper of a different ſtile might be propoſed, requeſting Mr. Waſhington to ſtand as a candidate. During his continuance in office, his favourite, Hamilton, was the real preſident. This is

well enough known. The following inſtance, out of many, ſhews in what way Mr. Waſhington tranſacted buſineſs. On a queſtion that was to come before the cabinet, he previouſly aſked the opinion of Mr. Jefferſon, and after hearing it, obſerved that his own ſentiments had been the ſame. When the council met, Hamilton and Knox voted, as uſual, upon one ſide, and Jefferſon on the other. "Gentlemen, I leave it to yourſelves," were the words of Mr. Waſhington; and the point was carried by the majority. The extravagant popularity poſſeſſed by this citizen reflects the utmoſt ridicule on the diſcernment of America. He approved of the funding ſyſtem, the aſſumption, the national bank, and, in contradiction to his own ſolemn promiſe,* he authoriſed the robbery and ruin of the remnants of his own army.

If the thirteen ſtates had continued independent of each other, as under the old confederation, the frontiers would have been ſeriouſly protected; the Indians would have been ſpeedily and completely chaſtiſed; on that ſide, many thouſands of lives, and many millions of dollars, would have been ſaved. In place of a random and profligate aſſumption of the debts of individual ſtates, each, with ſilence and economy, might have been expected to diſcharge its own proper burden. We ſhould not have ſeen the foolery of New-Hampſhire clearing off the contractions of Georgia, at the rate of forty ſhillings per pound.†

For ſome years after the commencement of the new government, the foreign trade of this country augmented amazingly. Its previous depreſſion may be accounted for from the univerſal devaſtation committed by Britiſh bonfires and American paſteboard. Time, peace, the lightneſs of taxes, and the cheapneſs of land, muſt, of themſelves, have corrected this evil. The banks eſtabliſhed were, undoubtedly, of ſome ſervice, till the ſalutary cordial of a diſtemper was converted into daily food. A nation, accidentally diſtreſſed, may have recourſe to paper money, as a patient recovering from the gout, may reaſonably wear a crutch. But the country that, when in proſperity, cannot trade without bank notes, and the man who, in health, cannot walk without a prop, are both but cripples. By the advantages of neutrality, and of nature, the American flag immediately roſe into importance. But here the federal conſtitution did no ſervice. All the money that government could raiſe was exhauſted in current charges, including the monſtrous tribute annually paid to Sedgwick, Hillhouſe, William Smith, and the other brokers in certificates. Hence, foreign trade was left defenceleſs. Early in 1793, our ſhipping was attacked by the pirates of England, and, at her inſtance, by thoſe of Algiers. The Canadian militia, led or driven by Britiſh officers, with their faces blacked, invaded the North Weſtern frontier. The ſea robberies of England have continued ever ſince, and

NOTES.

* At Newburgh, March 15th, 1783.

† Gallatin has proved that in aſſuming the ſtate debts, the ſums were taken up at this rate.

are now in progreſs. Mr. Waſhington attempted to avert theſe ravages by a treaty of *ſurrender*, as Paine juſtly terms it.* Theſe were ſome of the bleſſings ariſing from the new order of things.

In the fall of 1796, when the French began their depredations, the country fell into a more dangerous juncture, than almoſt any which the old confederation ever endured. The tardineſs and timidity of Mr. Waſhington were ſucceeded by the rancour and inſolence of Mr. Adams. The Pariſian preference of Dr. Franklin was to be revenged. The Britiſh conſtitution was to be defended, not only by three tireſome volumes, but by the ſixteen United States. The fifteen millions of extra dollars† voted for 1798, may be traced up to many cauſes. One of theſe is the treaty making power ſo ambiguouſly veſted by the conſtitution in the ſenate and preſident,‡ and which has emboldened government to provoke a French quarrel. This quarrel ſprings exactly from the pride and prejudices of the American ariſtocracy. They appointed Governeur Morris, as ambaſſador to Paris, becauſe he was to be a bawler in favor of monarchy, a banker and agent for the French princes, and a ſpy for England.|| Under the old confederation, matters never were, nor could have been conducted ſo wretchedly, as they actually are, and have been, under the ſucceſſive monarchs of Braintree and Mount-Vernon. Monroe was recalled, becauſe he had ſucceeded in ſoothing the directory. One reaſon for ſending Pinckney back to Paris, was becauſe congreſs had printed his confidential letters reviling the republic, and Marſhall was joined with him, becauſe he was a profeſſed enemy to the French revolution. Under the old government, no preſident durſt have incurred the reſponſibility of making ſuch ſpeeches as Adams and Waſhington have made; nor would the revolutionary congreſs have ventured upon ſuch abject lying echoes as are, at this day, familiar, under the ſix per cent deſpotiſm.**

NOTES.

* *Letter to Waſhington, p.* 63.

† *Including the expence of collecting one part of the money, and of borrowing another, the real amount will not be far ſhort of eighteen or twenty millions, beſides the current intereſt of what ſhall be borrowed.*

‡ *On this point the conſtitution does palpably contradict itſelf.*

|| *See Barlow's letter. I once expected to have had the honour of being the firſt publiſher of this intereſting performance.*

** In the hiſtory of 1796, and in Sketches of the hiſtory of America, ſome traits are given of the diſorderly conduct of the exciſe army of 1794, of the highly criminal neglect of government, which created the occaſion, or pretence, for calling out the militia, and of the general want of diſcipline, and œconomy, that diſgraced the whole drama. In the teeth of notorious facts, the ſenate, on November 22d, 1794, addreſſed Waſhington in theſe words. "Our warm and cordial ac-
"knowledgments are due to you, ſir, for the wiſdom and deciſion
"with which you arrayed the militia.—The example is precious to
"the theory of our government, and confers the brighteſt honour on
"the patriots who have given it." This piece was finiſhed on the ninteenth day of the ſeſſion, by ſeventeen workmen, at ſix dollars per day, beſides Mr. Adams, at five thouſand dollars per annum.

The longer that we examine, the harder we shall find it to prove what America has gained by this government of *your own choice*. If congress had adhered to the constitution, as it was framed, affairs might have done very well; for a most defective theory can be corrected, as to every substantial end, by an honest practice. But, for the first four years, the chief employment both of Hamilton, and congress, was to break the constitution. Hence that instrument must not be blamed for measures which it was expressly adapted to prevent. As one instance, wherein congress went through the constitution, observe article 1. sect. 8th. This authorises them "to coin *money*." The twelfth amendment says that "the powers not delegated to the United "States, by the constitution, are reserved," &c. It is clear that the right of issuing bank notes is one of the *reservations*, since the text stops at the words *coining money*. Yet congress immediately set up a bank. "It has been frequently asserted, and never denied," says Mr. Findley, "that the power of granting charters of incorporation, was "repeatedly moved for in the federal convention, and particularly the "power of *incorporating* BANKS, but always rejected by a great ma-"jority."† Mr. Washington was president of this federal convention. Of course, he could not plead ignorance of its intention against the erection of a national bank. He swore to support the constitution. Directly after, he ratified the bank law, which drove the plough-share of paper-jobbing through the very midst of his double oath, as a federal citizen, and as president. It is needless to make wry faces, or to answer with hard names; for thus the fact stands upon record.

AGAIN, article 2d. section 10th, of the constitution, forbids individual states to emit "bills of *credit*." Such unquestionably is a bank note. It is the identical thing. Yet the whole country swarms with banks. Hear, upon this head, Mr. John Taylor. "The states being "restrained from establishing a paper currency, could not empower a "corporation to do it. They could not bestow, what they did not "possess. But, alas! poor congress! Having *broken the constitution* "*themselves*, they are obliged to wink upon its breach by most of the "states, which have, without any bad intention, followed their bane-"ful example. With grief must congress suffer their twenty years "*(of)* monopoly to be broken in upon, and snacks of the *national* "*plunder* to fall to the share of rival corporations." [At the time of printing this pamphlet, the author was himself a senator in congress. If the sedition act had then existed, he would probably have been sent to the blackest hole in the jail of Richmond, or Philadelphia. He would there have been confined with horse-stealers, and runaway negroes, with a tub in the corner of the dungeon for his ultimate occasions, and an iron wicket in the door, through which his family might peep at him. I proceed with Mr. Taylor.] "It must however be con-"fessed, that the contrast is unequal; since the good things redounding "from the public purse, are exclusively enjoyed by the *purse bearers*. "Had the states gone into the system of their own head, and not as "blind transcribers of the example set by the higher powers, [viz. by

NOTE.

† *A Review of the revenue system, &c. letter 9th.*

" Mr. Washington, and congress,] we should have heard clamourings, " which could not now be uttered by *a party of the chorus.*"*

In this way, the servants of the people describe each other. They next pass a law declaring that their creators and paymasters shall not despise them, under a leash of pains and penalties that are worse than plain hanging; for surely a man had much better swing at once than hold his nose. for two years, over a tub of human filth in the cells of Newark, or Vergennes, and thereafter, till he shall pay a sum " not " exceeding *two thousand dollars!*" To be sure Mr. Taylor would, in Pennsylvania, or Virginia, have the benefit of a trial by jury. Yes! and by *such* a jury!

In May, 1797, the grand jury of Virginia presented, as a nuisance, the circular letters from Colonel Cabell, and several other members of congress.† The Colonel has often told me that four fifths of the whole band consisted of pardoned tories, and of republicans imported from Scotland. These are the common materials of a federal Virginian jury. Nothing else can be expected. The president appoints the marshal. The latter appoints the jury; and if they stumble upon a democratical verdict, the marshal must quit his office, as Clement Biddle did.‡ It would save much trouble to all parties, and answer the same purpose, if Mr. Adams, like the grand Turk, were at once to issue his firman, ascertaining the particulars of the sentence. Virginians! Is this the government of *your own choice?* Are you contented to see your senators in congress treated like swindlers and pick-pockets? Are you contented that your representatives shall be locked up for whole winters without fire, or candle, because they are honest men, and want to serve you? Mr. Taylor goes on, as you have just seen, for ninety-two pages. His enquiry is, in its design and essence, AN INDICTMENT FOR BREACH OF TRUST AGAINST WASHINGTON AND CONGRESS. No answer was made to his pamphlet, because every body knew that it contained the exact truth. But private influence was employed, and the sale stopt. This is that country and constitution, so deservedly admired in Europe, that country, " where the *purest* patriotism reigns, and the immortal " WASHINGTON governs."‖

One of the promised advantages of the new constitution was the restoration of private credit. This has been overwhelmed in the deluge of paper currency condemned by Mr. Taylor. The banks have doubled the price of living in the seaport towns. A uniform system of bankrupt laws was another decoy duck. No such laws have been made, or ever should be made by congress. You might as well propose to make one pair of breeches, which would fit every man in the union, as one bankrupt system, which would answer each of the sixteen states. This country exceeds any other on the globe in the multitude and impudence of

NOTES.

* *An Enquiry into the principles and tendency of certain public measures. Philadelphia*, 1794, *p.* 82.

† *History of* 1796, *chap.* 7*th.*

‡ *Sedgwick and Co. chap.* 3*d.*

‖ *Lauderdale's letters to the Peers of Scotland*; *London*, 1794, *p.* 305.

mercantile infolvencies. It is likely that Morris cannot tell, within five millions of dollars, the extent of the ſums for which he is indebted. They have been variouſly gueſſed at from twelve millions of dollars to thirty millions. His bills would hardly bring fourpence per pound at auction, and perhaps nothing. Yet he lives in all the ſplendour that a priſon can afford. It is ſuppoſed that he will transfer an ample fortune to ſome of his deſcendants. To this perfection has a federal congreſs improved the laws of bankruptcy. Greenleaf has run the gauntlet of the jail. Nicholſon is locked up in his own houſe at Philadelphia. Each of the two latter has printed fifty advertiſements aſſuring the world that the other is worthleſs. It is conjectured that they and Morris, are amongſt them, indebted to half as large an amount as the federal government.

A NEW Rhode-Iſland has ſprung up in Pennſylvania, or has rather prolonged its exiſtence for thirty years, in ſucceſſive defiance of the Penn government, the old confederation, and the federal union. The Connecticut claimants of Luzerne have alike reſiſted the proweſs of Dr. Plunket, the decree of Trenton, and that of the federal court. In April, 1795, the cauſe was tried at Philadelphia, before a jury of Pennſylvanians. Decorum required that no citizen of that ſtate, any more than of Connecticut, ſhould have been ſuffered to ſit on the trial. The litigation will ſurvive the preſent parties; and the defendants, will infallibly retain poſſeſſion, not only from their phyſical ſtrength, but from the monſtrous waſte both of money and of blood, that would be requiſite for their actual expulſion.

ANOTHER expectation was that the ſale of weſtern lands would diſcharge part of the public debt. This proſpect has been mangled in the bud. A large ſettlement is now in progreſs, on the north-weſt ſide of the Ohio, oppoſite to the ſtate of Kentucky; and not far from Galliopolis. Many farmers have eſtabliſhed themſelves without either getting or aſking permiſſion from congreſs. The happy criſis for an effective ſale of weſtern lands was forever loſt by the oppoſition of Mr. Hamilton. He wanted to have the debt funded rather than paid, that he might, as quickly as poſſible, aſſimilate this federal government to the Britiſh monarchy. It is hazardous to fancy that a conſiderable ſum can be raiſed by ſuch a ſale; or that men at the diſtance of ſix hundred miles, with rifles in their hands, and a boundleſs foreſt around them, will ever pay two dollars per acre for the weſtern territory. The executive party are aware of this circumſtance. They do not wiſh to promote emigrations into the wilderneſs. In ſpring 1796, congreſs paſt a law pretendedly for promoting the ſale of theſe lands, but in fact for preventing it. Mr. Rufus Putnam of Connecticut was appointed ſurveyor, with a ſalary of two thouſand dollars. The law directs that the lands ſhall be laid off according to the true meridian. This requires a degree of knowledge that Mr. Putnam is ſaid not to poſſeſs. In the ſecond ſeſſion of the fifth congreſs, Mr. John Brown, one of the Kentucky ſenators, obſerved that the buſineſs of ſurveying had not begun, on account of the incompetence of Mr. Putnam. This gentleman laid before congreſs an explanation of the impoſſibility of running the lines agreeable to the true meridian.

He recommended the repeal of that part of the ſtatute. In June, 1798, congreſs refuſed to concur. Thus the matter continues. The ſurveyor uplifts his ſalary; and the lands remain blocked up.

General St. Clair had lately got a renewed appointment as governor of the north-weſtern territory. In objection, it was obſerved that the office is a mere ſinecure, becauſe, in the three preceding years, the general had only paid two ſhort viſits to this government. He receives his fifteen hundred dollars per annum for his trouble in reſiding upon his own farm in the back country of Pennſylvania. One ſenator gave a ſingular reaſon for conſenting to the renewal of Mr. St. Clair's commiſſion. In caſe of his being rejected, it was ſuppoſed that Mr. Adams would nominate in his place Mr. Winthrop Sargent, then St. Clair's ſecretary. Referring to the fable of the frogs, the ſenator obſerved that King Log was better than a ſerpent. The omiſſion to make an immediate and effectual proviſion for the ſale of the weſtern lands proves that the ruling party are not impatient for their ſale. Perhaps they are reſerved for ſome favorite ſpeculator. The bank of the United States is one of the principal conduits through which the continent has been drowned in an ocean of land-jobbing. It is reported that this maſs of paper has produced an alarming degeneracy in American morals. What they were during the revolution may be learned from Dr. Ramſay.† Their preſent ſtate in the ſeaports may partly be conjectured from the following cuſtom.

In Philadelphia, when a bill falls due, the holder does not always remind the debtor before hand of the day of payment. He depoſits his paper in one of the banks; and a collector, employed for the purpoſe, preſents it in name of the office. If payment ſhall be refuſed, the debtor knows that his credit at the bank is gone. On his perſonal honour, the creditor does not place confidence; but he foreſees that from fear of the bank, the debtor will pay it, if he poſſibly can. Some bills are ſettled without this expedient. It is, however, commonly adopted, and it ſhews that the taper of mutual truſt is glimmering in its ſocket. The practice is not peculiar to Philadelphia.

The federal city, like the federal bank, is deſcended in a direct line from the new government. This project has been the ſource of infinite gambling, ſwindling, and jobbing. Common foreſight required that the city ſhould be placed in a centrical ſituation, and beyond the reach of a maritime enemy. It has neither of theſe advantages; and in the firſt war with France or England, we muſt expect to hear of its being beaten to atoms about the ears of congreſs. It is true that the Patowmac may be hedged with impregnable batteries, if there was money to build them. But even in that caſe, a detachment of troops can diſembark, turn the fortifications, as Howe did at the Delaware, and burn the city. The revenues of the union are not large enough to fortify the ſeaport towns that are built already. This project has added another poſt to be defended againſt an invading navy. As the population of the back country is rapidly augmenting, the ſcite

NOTE.

† *Sedgwick and Co. chap. 2d.*

ſhould have been at leaſt two hundred miles farther inland for the ſake of connecting that territory with the Atlantic ſtates. Pittſburg, for inſtance, would have been a ſituation beyond the reach of a Britiſh admiral, and adapted to conciliate the Weſtern people. The Patowmac was preferred by the manœuvres of Hamilton. By this conceſſion, he perſuaded ſome members of congreſs from Virginia, and Maryland, to vote for other meaſures of greater moment. "The permanent ſeat "of government," ſays Mr. Findley, "was combined with great ad- "dreſs with the aſſumption of the ſtate debts, and the inſtitution of the "bank!*" Each ſtate would have been glad to get the propoſed metropolis within its own confines. To gratify this fondneſs, and perhaps to raiſe the price of land at Mount Vernon, Mr. Hamilton conſented to the preſent ſcite. It is underſtood that, by this means, he gained in the houſe of repreſentatives, two Maryland, and two Virginian votes. Mr. Richard Bland Lee was one of the Virginians. In a letter to his conſtituents, he mentioned the œconomy of this bargain. His electors were of a different opinion, and have ſince diſmiſſed him. His brother Virginian was turned out at the very next election.

But for this federal city, it is likely that the bank and the aſſumption might have been overſet. An iſland, containing eighty acres, lies in the Patowmac, at the upper end of the place marked out on the plan of the city. Six thouſand pounds ſterling have been offered and refuſed for this ſpot. The triumvirate of baneful memory were deeply concerned in this plan of a city. For their own ſhare, they reduced to utter ruin above an hundred families. The dupes of the Waſhington lottery are ſufficiently numerous to man our twelve new ſhips of the line. Their total encomiums on the veracity of Samuel Blodget can be recorded on the paring of a thumb nail.

On May 6th, 1796, a bill paſt authoriſing the preſident to borrow, at an intereſt not *exceeding ſix per cent*, three hundred thouſand dollars for this federal city. Of that ſum one hundred thouſand dollars were obtained from the ſtate of Maryland, in ſix per cent. public ſtock at *par*. This means, that it was pretended to be worth twenty ſhillings per pound in the market, and was received, and reckoned at that price, in the loan. Stock was at that time ſold for about ſixteen ſhillings and ſixpence per pound; and hath ſince been at a lower rate. But let us ſuppoſe that this ſtock was ſold and transferred the ſecond time, for the benefit of the city, at ſixteen ſhillings. Thus four ſhillings out of twenty, or one fifth part of the principal ſum was loſt. Inſtead of an hundred thouſand dollars, the city received for the ſtock but *eighty thouſand*. At the ſame time, intereſt was paid to Maryland for the whole ſum of an hundred thouſand dollars at ſix per cent. On eighty thouſand dollars, this comes in reality to *ſeven and an half per cent*; becauſe you pay intereſt for twenty thouſand dollars more than what you actually hold from the lender. When the money comes to be paid back to Maryland, ſhe will get an hundred thouſand dollars in real value for lending eighty thouſand dollars. Thus, on the whole, ſeven and an half per cent was paid for money, and when the debt is refund-

NOTE.

* *A Review &c. letter 9th.*

ed, there is also to be given a premium of twenty-five per cent on the principal sum. This is monstrous usury. The statute permitting this transaction forbids, as above quoted, more than six per cent to be given; so that the president and his commissioners broke entirely through the very law upon which they acted. Thus a man may send his servant to market with strict orders to give only six dollars for a barrel flour; and behold! he gives ten dollars. The commissioners for the loan were glad to get the money, even upon these miserable terms. They have since applied for, and procured a second hundred thousand dollars, from the same quarter, and on the same conditions. This is the way in which public money is managed, and the plan on which federal cities are built.

The act of 1796 comprehended a *third* hundred thousand dollars. In order to get them, congress past a law, dated April 18th, 1798. The money is to be advanced from the federal treasury, and to bear an interest of six per cent, for which, as well as for the principal sum, the nation must look to the lots in the city of Washington. Congress have since authorised Mr. Adams to borrow, at any interest for which he can get it, the sum of five millions of dollars. Thus, with one hand, government lends money at six per cent, and with the other, borrows it at eight per cent.*

This review demonstrates that the new government has failed in producing the whole of that national happiness and security which were predicted from its adoption. Our advantages arose from the casual state of Europe, the abundance of land, and the general equality of property, which happily dispose the people to love peace and order. Whether the adoption was fortunate, or otherwise, cannot be determined; for we shall never know what calamities might have occurred under the old confederation. Our present disasters have chiefly resulted from the overgrown influence of the senate and president. An annual election of both, and likewise of representatives, would tend to correct this evil.

Thus much for the government of *your own choice*, as far as the phrase of Mr. Adams regards the general system, We come next to the other sense, as regarding the personal measures of the present cabinet. Here the president treads on tender ground. Assuredly, *he* was not the choice of the real majority. In Pennsylvania, he gained a vote, by the trick of a postmaster, who stopt the mail from Greene county, till the poll was closed at Philadelphia. In Maryland, he gained a second, by the folly of one Plater, who ballotted both for him and Mr. Jefferson, from an anxiety that Mr. Adams should be *Vice* president. In Maryland, he gained a third suffrage, in the western district of that state by a majority of four voices, by the wonted negligence of one side, and the wonted knavery of the other. The district consists of two counties, Allegany, and Washington. A separate poll was held in each of them. Washington is, of the two, by far the most populous. The census of 1790 gives it fifteen thousand, eight hundred and twenty-two inhabitants, and Allegany no more than four thousand

NOTE.

* *In July, 1798, two considerable money brokers in Philadelphia repeatedly assured me, that no large sum could, at that time, be borrowed there for less than six per cent, per month, of compound interest.*

eight hundred and nine. Washington is full of Republicans, and Allegany of their opponents. The republicans put an end to their poll, as soon as they had a considerable superiority of the whole number of genuine voters that they knew to reside in the two counties, which form the district. The six per cent agitators of Allegany did not stop theirs. They brought over a croud from Pennsylvania, and Virginia, and thus trumped up a majority of *four*. Neither the constitution, nor congress itself, has provided any check for the investigation of false votes, and the majority of *four* trampled on the rights of the real citizens. The country was then young in presidential elections. If congress are desirous to shun a civil war, they will do well to provide a remedy before the next election, for this dreadful gap in the laws and constitution.

Putting these facts together, we shall see that Mr. Jefferson, and not Mr. Adams, was the choice of America. The total number of electors was one hundred and thirty eight. Each of these voted either for Mr. Jefferson, or Mr. Adams. But Plater voted for both. Hence, instead of an hundred and thirty eight, the suffrages came to one more. Thus they mounted up to an hundred and thirty nine. Of these Mr. Adams had seventy one, and Mr. Jefferson sixty eight. Cast aside the amphibious Maryland vote of Plater. Mr. Adams will then have seventy, and Mr. Jefferson sixty seven. Restore to Jefferson the Greene county vote in Pennsylvania, and strike out the spurious vote in the western district of Maryland. This makes an odds of two votes. Abstract these two from the majority of seventy, and then Mr. Adams has only - - SIXTY EIGHT.

Add these two to the sixty seven for Mr. Jefferson. } SIXTY NINE.

He then has }

Jefferson is then president by a majority of - ONE.

One elector in Virginia voted for Mr. Adams, and *Mr. Washington*. He made his constituents believe that, by this vote, he designed to promote an election of the late president. Such a gross and impudent deception ascertains the profound ignorance in which a multitude of our citizens vegetate.

Four different modes of chusing electors were pursued in this transaction. The first was that by districts. This was embraced in Virginia, where the whole state was divided into twenty one districts. Each of these nominated its own elector. This was the only fair and equitable method; because it gave both sides an equal chance.

The second practice was by a general ticket, as it is called. The entire mass of suffrages in a state was lumped together. Each party published a list of the electors whom they wanted to prefer. One of these was called the federal ticket, and the other the Jefferson ticket. Put the case then that a state contains thirty thousand citizens. Of these fourteen thousand vote on the federal, and sixteen thousand on the other side. Thus, the former are totally cut off from all share of influence in the choice. They do not make so much as a single vote, whereas had the state been divided into twenty districts, and each of them voting separately for an elector of their own, it is clear that so large a minority would have returned perhaps six or eight out of the

whole number of electors. The objection to a general ticket for a whole ſtate is, therefore, that it reduces the minority, and perhaps a very numerous and reſpectable minority, to an abſolute annihilation of their political importance. This, of courſe, drives the mutual animoſity of the two parties to the utmoſt height, and in ſome caſes, might be the foundation for a civil war.

This was the method of election adopted in Pennſylvania, where in many counties of the ſtate, ſuch as Lancaſter, and Luzerne, a majority of the inhabitants were devoted to Mr. Adams. Beyond the Allegany, the friends of Mr. Jefferſon had the aſcendancy. If that ſtate had been divided, like Virginia into diſtricts, and had each of them choſen its own favorite, Mr. Adams would, perhaps have had ſix votes out of the fifteen. He had only one, and that was gained by the ſtoppage of the poſt.

It was either by the firſt or ſecond of theſe two methods that the election was conducted in Georgia, Tenneſſee, North-Carolina, Kentucky, Virginia, Maryland and Pennſylvania. Maſſachuſetts had a ſyſtem that ſeems peculiar to itſelf. The ſtate is divided into fourteen diſtricts, each of which choſe one elector. The other two electors for that ſtate were choſen by the aſſembly. But if the elector has not a majority of all the votes in the diſtrict, then the aſſembly chuſes the elector for that diſtrict. If any of thoſe elected by the people, or the legiſlature ſhall die, or decline to act, the reſidue of the electors fill up the vacancies. In this way, the people of Maſſachuſetts choſe, on the laſt occaſion, ſeven electors, and the legiſlature nine.

The fourth method of election was by the legiſlature of each ſtate. The nomination wss taken entirely out of the hands of the people. This was ſubmitted to in New-Hampſhire, Connecticut, Rhode-Iſland, Vermont, New-York, Jerſey, Delaware, and South-Carolina. My information is poſitive as to all theſe ſtates, excepting the two firſt. With reſpect to them, ſome doubt is entertained, and the means of reſolving it are not at hand. There could not have been a more atrocious act of uſurpation than that of theſe ſtate aſſemblies. The circumſtance was attended with the moſt important conſequences. If the elections in Vermont, New-York, and Jerſey, had been entruſted with the people at large, Mr. Jefferſon was certain to have had at leaſt ten votes. Mr. Adams could not with accuracy tell the Jerſey militia that they choſe him. They were not permitted to make a choice either of him, or of any body elſe. They had no more choice in the matter than the poultry in their barn yards. * An eternal

NOTE.

* In Jerſey, Mr. Adams had the whole ſeven votes, and yet the majority appear to be republicans. In the fall of 1798, when the cauſe of liberty was at the loweſt ebb, the Jerſey election for the ſixth Congreſs was held, and out of five repreſentatives, three, or as ſome ſay four, were Jefferſonians. The newſpapers ſtate that nineteen thouſand one hundred and ſixty-ſeven citizens voted. Of theſe,

mark of disgrace ought to be set upon those usurpers, the assemblies of such states, who thus robbed their constituents of the right of choosing a president.

This whole transaction was distinguished by every sort of imposture. The ballot box judges at Lancaster, and some other culprits, ought to have been severely chastised. But no law existed, which could reach them. For all this confusion and iniquity, we must thank Mr. Washington. He acted like a tenant who quits the premises, without giving notice to the landlord, that he may provide a successor. The vileness of adulation which has been paid to this gentleman exceeds almost any thing that, for several ages, has been heard of in Europe. On July 4th, 1798, the officers of a brigade at New-York toasted him with this addition,

Lov'd as a father, as a God ador'd,

along with other horrid impiety. These are the people who rail at The *Age of Reason*. The second part of this book was very improperly published by the late Mr. Bache. On this notable foundation, the aristocracy affirm, and their dupes believe, that every American friend of the French revolution is an enemy to the Christian religion.

CHAPTER II.

Continuation of remarks on the answer to the Jersey militia.—Origin of the American revolution.—Dunkard humanity.—Dismission of William Gardner.—Oppressive arrestment of Bache.—Presidential fast day.—Project for burning Bache's house.—Strange treatment of Physicians of the Philadelphia Dispensary.—History of the Algerine tribute.

I RETURN to the answer by Mr. Adams to the Jersey militia. "You are very much misinformed," says he, "if you suppose the "government embraces and caresses all those characters, who were "ever your worst enemies. Although it protects all men to the "utmost of its power, who are not inimical,* it embraces all such

NOTE.

nine thousand one hundred and thirty-two supported the treasury faction; and ten thousand and thirty-five were against it.

* This is a choaking falsehood. The thousands of impressed American seamen were not inimical; yet when Grenville offered to insert a stipulation in their favor, Jay forbore to accept of it. The plundered snuff-makers were not, the oppressed sugar-bakers are not inimical. The betrayed victims on the Indian frontier are certainly our friends.

"characters as are faithful to the conſtitution, and the laws." By their *worſt enemies*, the militia referred to the tories of the late revolution. Of theſe a few have become ſerious republicans; but the great body perſiſt in their old principles. They love Engliſh ſupremacy, they hate American independence, as heartily as ever. They are to a man, attached to Mr. Adams, becauſe they know that his principles are monarchical, and that he is the inflexible friend of England.

At this moment the tory faction dictates the popular tone, and directs the counſels of America. Only ſeventeen years have elapſed ſince the cloſe of the revolution, and, within that ſhort interval its inveterate enemies have ſnatched an aſcendancy. Such is the fact; but its oddity merits an explanation.

Before the late war, this country might have been compared with a foal, which its owner conſiders as too young for the plow. He ſpares its bones, not from pity, but from a ſenſe of his own intereſt. Non-age is the moſt comfortable part of the colt's life; and there was ſomething ſimilar in the minority of America. When parliament conſidered the continental foal as ſufficiently grown, an attempt was made to harneſs him in the waggon of taxation. He knocked down his pretended maſter and benefactor. He then yoked his neck in a waggon of his own; where the new driver flogs him a thouſand times more ſeverely than, till after his actual inſurrection, his old maſter had ever thought of.

Previous to the commencement of war, the new world looked at moſt of her wrongs through the teleſcope of futurity. She did not expect a real military conteſt; for eſſential preparations had not been made to ſupport it. The Americans paſt non-importation laws, that they might alarm England. Inſtead of that, they ſhould have imported Engliſh manufactures as largely as poſſible, in order to qualify themſelves for holding out. They ſhould, eſpecially, have ſecured, as far as they were able, a proper ſtock of military ſtores. When Virginia ſet up the ſtandard of independence, the ſtate had hardly as many charges of powder, as would have ſhot an invading army of moderate numbers, though every ball had hit. A gentleman of Loudon county, who then ſat in the aſſembly, called out one of the moſt active leaders of oppoſition, and repreſented the folly of prohibiting importation, as it was the ſure way to render the country defenceleſs. "The truth is," replied the other, "that "if England is in earneſt, we muſt ſubmit."

At Breed's hill, almoſt the whole powder of Maſſachuſetts was expended. If Gage, on the day after the battle, had ſent four regiments along the neck of Boſton, the officers at Cambridge were prepared to give way. The troops could not have reſiſted, for want of ammunition. If the New-Englanders had previouſly deſigned to revolt, their neglecting to provide a ſtock of powder was an error without excuſe. It was the ſhepherd's boy, caſting away his ſling, and ruſhing to grapple with the giant. Even after the war began, ſo deeply were the roots of reconciliation planted in America, that if Howe, in treating his priſoners, had copied the clemency of Carleton, there was a chance that general ſubmiſſion might have taken

place. The temporary ſucceſs at Long-Iſland helped to rouſe the latent ſparks of attachment to England. Her adherents haſted to arms.

Beſides theſe, the continent ſwarms with ſectarians, who deny the lawfulneſs of military reſiſtance. This doctrine, which levels man with the horſe in a cart, led them to diſlike the revolution. Their hatred of the republican party produced, of courſe, an averſion to the French. This has been exaſperated into fury by the preſent war of France with England, by the execution of Louis and his wife, and the encroachments on the Gallican church, which moſt of theſe people regard as atheiſtical. All ſuch ſects gave nothing which they could help towards the American revolution, while many republicans, by exceſſive zeal, ſeverely hurt their fortunes. To this previous parſimony, the tories are indebted for much of their preſent importance*.

When the war ended, the conquerors, in the lazineſs and pride of victory, ſuffered vaſt numbers of exiled royaliſts to return to their homes. Theſe, with the non-reſiſting ſects, and a multitude of internal ſpies, turncoats, and traitors of all kinds, were, by the moſt extraordinary infatuation, admitted to the full rank of citizens. Thoſe who fought againſt American independence, and theſe who refuſed to fight for it, were, neither of them, entitled to an equal ſhare of its benefits with perſons by whom it was atchieved. In a ſtorm, thoſe who refuſe to pump the ſhip, may be caſt overboard in order to lighten it. As legiſlators, the diſciples of paſſive obedience are plainly incompetent. Suppoſe that America is threatened with a foreign invaſion, and that an army is wanted. A majority of dunkards or quakers, refuſe to vote the neceſſary ſupplies, and the country is enſlaved. Conſiſtently with their principles, they cannot even vote for the payment of debts that have been contracted in a former war. At preſent, however, many individuals of theſe ſects, and eſpecially of the quakers, have, in effect, deſerted their principles. They are the patrons of Liſton's Gazette, and of all the meaſures tending to excite a French war. Were a French army to land, the Mennoniſts and Quakers would not fight them. Yet theſe ſectarians demand that others ſhould do what they themſelves refuſe to do. Were a Preſbyterian to ſay, that his conſcience would not permit him to bear arms againſt France, they would inſtantly arraign and advertiſe him, as a jacobin, a traitor, and an atheiſt.

The ranks of monarchy were farther recruited by numerous emigrants in the mercantile line, and by almoſt the whole body of ad-

NOTE.

* Mr. Waſhington has been praiſed for acting in the American army without pay. He received, however, full payment of his expences. He did not ſink money; and numbers of other officers did ſo: many ruined their families by following the camp, when congreſs paper money was hardly worth its room in a knapſack.

venturers from *the land of cakes*. The ſeaport towns, from New-York to Savanna, ſwarm with this diverſified crowd of perſons diſaffected to republican principles. They entered into the views, and have ſometimes ſhared in the ſpoils of the native ſix per cent. ariſtocracy. At the election, in the fall of 1796, they marſhalled themſelves againſt Mr. Jefferſon. The reſpectable part of the adherents of Mr. Adams could not have ſeated him on the preſidential throne, for ſuch it now is, without the help of thoſe whom the Jerſey militia juſtly term the *worſt enemies* of America. That Britiſh gold, alſo, has deſcended in ſhowers, is a fact now recorded in the ſupreme court of Pennſylvania.* Yet it muſt not be ſuppoſed that Fenno and Webſter have been the only pair of Britiſh penſioners in this country. If the *red book* of St. James's ſhall ever, like that of Verſailles, meet the light of day, divers intereſting diſcoveries will certainly tranſpire, as to the manufacture of Britiſh treaties, and of *truly federal* majorities.

Some of the non-reſiſting ſectarians deſerve not the advantage of reſiding in a free country. Here follows a ſpecimen of Dunkard charity. In ſummer, 1798, a German, living in Maryland, wrote an account of himſelf in a letter to Philadelphia. He had been reduced, in his own country, from opulence to want, by his attachment to the French revolution. He indented himſelf and his family with the captain of a veſſel bound for Maryland. The captain could not ſell the man, and gave him leave to ſhift for his dependents. The German was engaged by ſome Dunkards to teach a ſchool. After a conſiderable time, his employers came to learn his political hiſtory. At the period of his writing this letter, they had reſolved to turn him looſe on the world, in revenge for his republican tenets. What became of him I do not know. In Pennſylvania, a ſchoolmaſter has been advertiſed for with this precaution, that he muſt not be of Jacobin principles. In fact, the country abounds with wretches, that have the utmoſt affection for monarchy. In congreſs itſelf, principles are avowed, which, during the revolution, might have coſt their advocate his life.

Mr. Adams concludes the ſentence laſt quoted with obſerving that government "ſtudies, however, not to foment, or irritate, or perpe-"tuate ancient prejudices, and malignant paſſions, which had bet-"ter be diſmiſſed." The word *ancient* is a ſort of oblique confeſſion of his general pardon to anti-revolutionary culprits. As for the reſt of the extract, the reign of Mr. Adams has, hitherto, been one continued tempeſt of *malignant* paſſions. As preſident, he has never opened his lips, or lifted his pen, without threatening and ſcolding. The grand object of his adminiſtration has been to exaſperate the rage of contending parties, to calumniate and deſtroy every man who differs from his opinions. Mr. Adams has laboured, and with melancholy ſucceſs, to break up the bonds of ſocial affection, and, un-

NOTE.

* Sedgwick and Co. Chapter vi.

der the ruins of confidence and friendſhip, to extinguiſh the only beam of happineſs that glimmers through the dark and deſpicable farce of life.

"The creatures are very pretty, captain," ſays Lockit to Macheath. "The creatures are very pretty, if *we could only trust them.*" With the ſame *Caveat*, the profeſſions of Mr. Adams are likewiſe very pretty. Compare them with what follows.

In December, 1790, William Gardner accepted, from the general government, the office of commiſſioner of loans for New-Hampſhire. He was then treaſurer of that ſtate, a place worth about a thouſand dollars per annum. His ſituation, as commiſſioner, came only to ſix hundred and fifty. He did not ſolicit his new office. He was urged to accept of it by an aſſurance that congreſs would augment the ſalary. They did not, and, within eighteen months, Mr. Gardner ſignified his intention to reſign. In anſwer, Hamilton, then ſecretary of the treaſury, and in fact Preſident of the Union, ſent him a letter, dated June 14th, 1792. He expreſſed the warmeſt approbation of Mr. Gardner's ſervices, and regretted that they had not been adequately rewarded. He ſolicited him to continue in office, and declared his hopes that the compenſation would be enlarged. Mr. Gardner received two other letters in the ſame ſtile from Mr. Hamilton, and two from his ſucceſſor, Mr. Wolcott. Of theſe, the laſt is dated ſo late as February 6th, 1797. Thus Mr. Gardner was, for ſeven years, ſucceſſively, requeſted, and even courted, to retain his office. In ſummer, 1798, he was turned out. An act of ſuch unthankfulneſs, and rudeneſs, unveils the rottenneſs of profeſſions, and the violence of revenge, that ſo eminently mark Mr. Adams. Had this diſcharge ariſen from the mere caprice of power, from the giddineſs of a dwarfiſh mind unequal to its elevation, the Preſident would have acquired our contempt as a fool rather than our abhorrence as a tyrant. A ſhort explanation will help to decide for which of theſe titles Mr. Adams is the moſt ſucceſsful candidate.

In May, 1798, an addreſs to the Preſident was circulated for ſubſcription, at Portſmouth, in New-Hampſhire. The contriver of this piece had been ſuddenly *converted*, as he ſaid, to the preſidential ſyſtem, that is, to a French war, an American navy, a large ſtanding army, an additional load of taxes, and all the other ſymptoms and conſequences of debt and deſpotiſm. This place-hunter was, however, incapable of literary compoſition, even in the groveling line of ſycophancy. He, therefore, procured a paper to be written for him. It was couched, according to cuſtom, in the moſt fulſome ſtile. The preſent race of addreſſers appear to think of Mr. Adams, what Goldſmith ſays of Garrick;

Who pepper'd the higheſt, was ſureſt to please.

They forget that he cannot make one fiftieth part of them either tide-waiters, or ambaſſadors, venders of ſtamped paper, judges, cutter captains, or commiſſioners of loans. Compared with the total

herd of flatterers, only a small proportion of them can be exalted into excise men, directors of the mint, contractors, candle-snuffers, intercepters of letters, or majors-general, with *present pay*, of an army entrenched in the statute book.

Mr. Gardner received early notice that, if he *durst* refuse to sign this pledge of meanness, his name would be *sent on*. As a man of taste, and sense, and a good citizen, he could not consent to sanction a budget of servility, of bombast, and of slander. Immediately, Benjamin Russell, printer at Boston for the general government, published a list of those persons, who had refused to sign this address. Among these, were Mr. Gardner, the collector of the revenue, and the captain of the cutter at Portsmouth. The dismission from office of these three persons was demanded and granted. Their names were treated with all the insolence and vulgarity that distinguish the columns of the Columbian Centinel. "Why does not "the President," exclaimed his own man Russell, "why does not "the President tumble headlong from their places, the collector, "loan-office commissioner, and commander of the revenue cutter at "Portsmouth? These ingrates ought not for a moment to be suffer"ed to eat the bread of the public, when they wait only for a safe "occasion, to betray our own country to France." The beastly tone of this newspaper advice would, under most governments, ensure its refusal. Pitt, or Vergennes, must have trembled at the reproach of being suspected as prompters, or pupils, to an illiterate blackguard. The firmness of John Adams soars above such holiday scruples. Similar publications appeared in several others of the *prostituted vehicles*, as Mr. Gardner, in his printed appeal to the public, very properly calls them. He was dismissed from the loan office with a ruined constitution, and after having lost two thousand five hundred dollars by the acceptance and retention of his office.* It seems that his income had, moreover, fallen short of his expences; for Mr. Gardner states, that he was poorer by two thousand dollars, when he quitted his office than when he came into it. This is what Russell calls eating of the public bread. The promise of Hamilton, as given in his correspondence with Mr. Gardner, that he would endeavour to get the salary augmented, and his subsequent regret for want of success, were a mere pretence. Whenever he wished to do mischief, the first and second Congress were always ready.

The same system of persecution has been extended all over the continent. Every person holding an office must either quit it, or think and vote exactly with Mr. Adams. A catalogue of these expulsions would fill a pamphlet. In spring, 1798, several persons

NOTE.

* Mr. Gardner says that his situation, before he was a commissioner of loans, was more profitable than that employment, by at least fifty per cent. Add this fifty per cent. for seven years and an half, to a salary of six hundred and fifty dollars. Thus you explain the text.

at Philadelphia were turned out of bread, becauſe they voted for Iſrael inſtead of Morgan, as a ſenator for the aſſembly of Pennſylvania. Mr. Iſrael is, to be ſure, a republican. He has, however, as great a pledge in the happineſs of America as any man can have. He poſſeſſes a competent fortune, and he is the father of twelve children. The painful and perilous ſervices of this uſeful man in the Philadelphian viſitations of 1793, and 1797, might have tended to extenuate the guilt of his electors. It is hoped that on March 4th, 1801, Mr. Gardner, and other expelled public ſervants, will receive from the ſucceſſor of Mr. Adams, a tender of their offices back again.

The newſpapers printed under the preſidential banner, breathe nothing but irritation, calumny, and every imaginable ingredient of civil diſcord. The inſtances that might be given within the laſt twelve months only, would overflow the boundaries of Bayle's dictionary. I ſhall mention one, or two. In June, 1798, when Bache was arreſted for ſedition, that is, for wiſhing to preſerve the peace of the country, for expoſing the follies and the crimes of the Britiſh and preſidential faction, he was held to bail, and Mr. Iſrael, and captain Leiper became ſureties for his appearance. Of the former I have already ſpoken. In the fall of 1797, he was elected a ſenator by the citizens of Philadelphia, as a trifling tribute of gratitude for his public ſervices. In a pecuniary light, the place was not worth his acceptance. His election was annulled by a moſt notorious deciſion of the ſenate of Pennſylvania. He would have been choſen a ſecond time, but for the artifices and threats of the ariſtocracy, and the forgery ſince diſcovered of a number of votes. As for Thomas Leiper, it would be difficult to conceive even the abſtract idea of a more independent, a more induſtrious, or a more eſtimable citizen.* When it was known that Mr. Iſrael and captain Leiper had bailed Bache, the gazette of John Fenno, or rather of John Adams, loaded them with a torrent of invectives too groſs to be quoted, and too deſpicable to be anſwered. The ordure of the preſidential mouth-piece could be rivalled in naſtineſs only by that of the Britiſh ambaſſador's own gazette.

The procedure in this buſineſs was, in the very outſet, an extravagant outrage on juſtice. If Bache had not been able to give ſecurity, he muſt have remained in jail for probably ſix months, before he was brought to trial. This interval of impriſonment is ſufficient for bringing many people to ruin. The law ſays that a man is always preſumed innocent, until his guilt has been proved. Yet, it often happens that

NOTE.

* Before the arrival of Rochambeau, in 1780, with the French fleet and army, it had become almoſt impoſſible for Mr. Waſhington to keep his troops together. Congreſs could neither command money nor credit for their ſubſiſtence, and the general gave notice that the immediate diſſolution of the army was to be apprehended. In this extremity, a number of the citizens of Philadelphia came forward with a private ſubſcription, and prevented the apparent ruin of the cauſe. Among the ſubſcribers were Thomas Leiper, and Blair M'Lenachan. In the daily prints of the Anglo-New-England adminiſtration, theſe two gentlemen are ſpoken of as the groſſeſt criminals.

innocence endures the puniſhment of guilt before a trial can take place. The majority of citizens are not able to find two ſecurities for a thouſand dollars each; and every man who cannot do ſo is liable to be arreſted and confined at the nod of a ſecretary of ſtate. This is rank tyranny. Pickering has only to iſſue his mandate againſt a citizen whom he does not like, and whom he knows to be of dependant circumſtances. The man is hauled before ſome toad-eating judge, ſome reptile who is gaping for a ſeat on the federal bench, or an embaſſy to England.* He is then told that he has endangered the peace of the country. He has wiſhed that the preſident were dead, or perhaps only ſick; that he would get wiſer counſellors, and beſtow leſs money upon Pruſſian ambaſſadors, and penſionary major-generals. Perhaps the criminal has only ſaid that Theodore Sedgwick is a blockhead, that Tracy is a ſavage, that Dexter is a fop, and that Harper tells lies. For theſe, and each of theſe enormities, he muſt either find two ſecurities, at a thouſand dollars a piece, or be ſhut up in ſome dungeon from his family, his buſineſs, and his creditors, till the tyrants of America chuſe to drag him into court. The treaſury faction then try to collect and embody his debts, as they did, but without ſucceſs, for Mr. John Beckley. They write the hiſtory of his wife, as they did for governor M'Kean, and for the preſent Spaniſh ambaſſador. They ſet open the whole floodgates of ſcurrility and blackguardiſm, while he muſt not anſwer a ſingle word: otherwiſe he is proſecuted for a *contempt of court*. By the time of trial he is bankrupt, and has not half a joe to fee a lawyer; or perhaps, like the ſycophant who refuſed to plead for Matthew Lyon, every huckſter in ſophiſtry, every haberdaſher in truth and falſehood, will keep his lips ſealed. The rebel muſt then plead his own cauſe before an ignorant and brow-beaten, or more likely before a packed and preſidential Scotch jury. Government ſelects the offender who can be moſt eaſily cruſhed, from ten thouſand others as obnoxious as himſelf. The preſident names the marſhall, and, at leaſt in Virginia, and Pennſylvania, the marſhall appoints the jurors. This is what government calls juſtice, but what common ſenſe calls the very eſſence and ſoul of villainy and oppreſſion. Citizens of Virginia! If ye are ſtill the ſame men, who behaved with ſo much bravery in the Britiſh war, if the abominations of paper-jobbing, and reverence for the virtues of John Adams, have not congealed you into marble, ye muſt, in this great cri-

NOTE.

* If Waſhington wanted to corrupt the American judges, he could not have taken a more deciſive ſtep than by the appointment of Jay. That of Monroe was very little better, as tending to influence the ſenate. In 1795, Waſhington had nominated Mr. Rutledge to a vacancy on the federal bench. The latter ſignified his readineſs to accept of it. In the interim, before the ſenate had ratified the nomination, the judge diſtinguiſhed himſelf in oppoſition to Jay's treaty. Ellſworth, a ſix per cent veteran of the ſenate, had long been grumbling for an appointment. He oppoſed the choice of Rutledge, who by condemning Jay's ignominious capitulation, had ceaſed to be agreeable to the preſident. Rutledge was, on that account, rejected by the ſenate. Ellſworth, in the end, got the vacancy for himſelf. He is now chief juſtice.

ſis, feel and act like yourſelves. What do the uſurpers mean by *contempt of court?* Are we not to think and print upon every ſubject? When a man is rotting in jail, and loaded with calumny, he is not to reply. This, to be ſure, is glorious freedom, and well worth your eight years of fighting, burning, and ſtarving.

When a perſon is charged with ſedition, he ought not, in juſtice, to be apprehended, until he has been legally convicted. If, in the mean while, he tries to gather a mob, that conſpiracy forms a ſecond and worſe offence, and a juſt baſis for military coercion. But if he flies the country, exile and outlawry are, in themſelves, a puniſhment abundantly ſevere. All danger from him is, likewiſe, at an end, ſo that the purpoſes of public juſtice, and of public ſafety, are both amply fulfilled.

When a citizen of the Roman republic was accuſed before the people, he had his choice of exile, at any time before the ſentence was pronounced. This rule was never broken, but in the moſt extraordinary caſes. For inſtance, a conſpiracy had once been formed to ſet fire to Rome, and maſſacre the citizens. Cicero, at that time one of the conſuls, ſeized Cethegus, and eight of his accomplices. It was warmly debated in the ſenate what ſhould be done with them. Five were executed. But amidſt the ſplendor and faſcination of his ſublime eloquence, it is viſible that Cicero was terrified at the raſhneſs of his arreſtment. He was afterwards baniſhed on account of it. Thus ſacred, thus venerable, even in the depth of abaſement and deteſtation, was the perſon of a Roman citizen! But Bache, the printer, was not, like Cethegus, an incendiary. He wanted not to burn any man's houſe. The Britiſh gang wanted to burn his. They were headed by the attorney that ſince fled for forgery; and truly the head and the tail were worthy of each other. The faſt day of May, 9th, 1798,* was choſen for this deſign by the Cethegus of Philadelphia. Bache heard of his danger, and informed Hilary Baker, then mayor of the city. No notice was taken of this intimation. The jacobin, the French penſioner, was left to his fate.† Bache collected and armed ſome of his friends. The ſix per cent myrmidons heard of his preparations, and fortunately deſiſted from their plan. They filled the ſtreets with noiſe and alarm; but they did not hazard an attack. The hiſtory of that night has never been completely told. It was affirmed, at the time, that a large quantity of arms was lodged by the government faction in a houſe near the hall of congreſs, and that, in caſe of diſturbance, muſkets and ball were to be diſtributed to the *young citizens*, as the attorney's mob choſe to call themſelves. Happily, the inhabitants at large, are acquainted with the worth of peace, and the ſtorm blew over. But for this good fortune, thanks are not due to the genuine friends of *order*, as ſome perſons impudently term themſelves. Unqueſtionably, Philadelphia contains many characters that would rejoice in bloodſhed. This is one

NOTES.

* *This was a ſilly catch for popularity, a mimickry of the Britiſh king. The conſtitution knows nothing of faſt days.*

† *Both Meſſrs. Bache and Baker are ſince dead; but ſeveral perſons ſtill living know the particulars.*

of the fundamental maxims of the Hamiltonian school. When Camillus told Mr. Washington that he wished the rebels *to have burnt Pittsburg*, the president did not order any of the servants to turn him out of his house. This tacit acquiescence proves that Mr. Washington, in as far as he durst frame an opinion of his own, approved of the expression. At the present juncture, he exhibits himself in public along with that American Caligula. His admirers may separate, as well as they can, the moral system of the lieutenant general from that of his inspector.

On the evening of the same fast day, about thirty lads appeared in a body, in Philadelphia, with French cockades. They made no disturbance. They were dispersed by the magistrates, who committed some of them to prison. The federal mob were by far more numerous, more noisy, and more apparently dangerous. No attempt was made by the magistrates to reduce them to quiet. But at length some republican troops of horse assembled on the streets; and the young citizens took themselves out of the way. We had musick, and poetry, such as they were, for several nights after. The treasury songsters descended so very low as to serenade Liston's printer.*

In the teeth of such details, with what face can Mr. Adams say that his government "studies NOT to perpetuate *malignant passions?*" The party seem to study nothing else. In summer, 1798, general Sumter of South-Carolina, was grossly insulted at the new Circus in market-street, Philadelphia, because he did not clap his hands, when the president entered the place. The general sat in one of the front rows, when a rumour spread that Mr. Adams was coming in. A clapping of hands commenced, and one Fitzhugh called out, in a loud voice, asking why the general did not clap? A second rumour arose, and a second demand for clapping was made upon this venerable veteran. At the same time, Fitzhugh attempted to seize his hands, and force him to clap. General Sumter represented that there was no mutual acquaintance to justify such freedoms, that he was a stranger to the gentleman, and asked if the latter knew *who he was?* "Oh, damn you, we know you, and all "your party," replied the royalist. "I hope, in six months time, to "see you all banished from the country." Then turning to one major Oram, he went on thus: "does not Dayton keep these fellows in excel-"lent order?" His last words referred to the insolence of that super-eminent ruffian, the late speaker of the house of representatives. The second rumour of the approach of his majesty of Braintree proved, also, groundless. At last, Mr. Adams did appear. Fitzhugh then attempted to snatch off general Sumter's hat, asking why, like the rest of the company, he did not uncover? The general found out his name, and called for him, next morning, at his lodgings; but Fitzhugh was gone.

These particulars point out the spirit of the New-England administration. The man, Oram, to whom Fitzhugh addressed himself, is a land

NOTE.

* *I prefer, in general, this circumlocution to the pain of reprinting a name as detestable as that of Rochester. But the present explanation is necessary, because Liston has, in spring last, procured a second printer. This is young Fenno, whose name is always inserted at full length.*

jobber from North-Carolina. During the winter of January, 1798, he introduced himself into the hotel where the vice president lodged. In conversation, Mr. Jefferson is above suspicion, or disguise. The first trait of his presence that strikes you is an amiable and dignified simplicity. Some of his expressions were soon spread abroad, and Oram was discovered to act as a colloquial caterer, and tale bearer, for his excellency, Mr. Adams. Upon this, he was turned out of the house. In the late batch of military promotions, the president had resolved to reward this martyr, by making him a captain of artillery. Some of the senators threatened to investigate his character; and the project of promotion was deserted. About the time that general Sumter met with such usage at the circus, a reception of the same kind was given at the playhouse to Mr. Bard, a clergyman, a member of congress, and one of the most inoffensive of mankind. The manager of the new theatre at Philadelphia had the effrontery to become the tool of the faction. He has since, and very deservedly, been declared a bankrupt. Our jockies and mimicks are tiresome enough without such additional motives to disgust. In 1787, Mr. Adams published his Defence, or rather *attack* of the American constitutions. Describing the progress of aristocracy, he says that "even the theatres, and actors and actresses, "must become politicians, and convert the public pleasures into en-"gines of popularity for the governing members of the house." Mr. Adams has the merit of fulfilling his own prediction.

Party spirit has extended even to charitable institutions. The dispensary at Philadelphia was lately conducted by six physicians, who gave attendance *gratis*. One of these was Dr. James Reynolds. In place of thanking him for his acceptance of a trust by which he could gain nothing, the managers took offence at his attendance. Only one objection could be started against this intelligent and estimable man. Dr. Reynolds is a friend to political liberty. The other five physicians wrote a letter to the managers, representing that they could never admit the introduction of such a principle for dismission. The board had not even the decency to send these gentlemen an answer. Their letter was returned back again, with the copy of a minute, made by the board, and dated May 31, 1798. In that paper, the managers say that "the "contents of this letter are of a nature *improper to be considered.*" The physicians immediately gave in their resignation, adding that they would continue their services, until successors could be appointed. The managers sent them a second minute, and, without thanking them for the latter part of their communication, accepted of their proposal to resign. After all which has been said about quacks, and extravagant bills, there is no other class of men, that do so much business for nothing, as the faculty of medicine. Whether it happens that their hearts are expanded by a liberal education, or softened by the frequent approaches of wretchedness, there is, I believe, no other class of men half so generally gifted with the godlike feelings of humanity. There is no place in the world where physicians are, in general, more scantily paid than in Philadelphia. The practitioner who is to subsist by his patients has no time to cast away. The ungracious behaviour of the managers was, therefore, most remarkably unbecoming. But what can be expected from a faction that fulminates eternal sheets of ribbal-

dry againſt Iriſh emigrants, againſt holders of ſlaves, and eſpecially againſt the *land of debts*; for that is the name which they give to Virginia? In ſome parts of this ſtate, the aſſeſſors of the direct tax, were lately diſtributing from their pockets, *The Cannibal's progress*, and other infamous publications of the ſame kind. Liſton's Billingsgate newſpaper is ſent *gratis*, over the country, to a great number of deputy poſtmaſters. In the midſt of ſuch doings, Timothy Pickering rails at calumniators. A viſage of three fold braſs might bluſh at his effrontery.

About the month of July, 1798, the Boſton Mercury had theſe words: "there ſtill remains among us a hoſtile, malignant and dangerous French faction.—I am prepared in my own mind, as it reſpects internal enemies, to make it a war of *extermination*.—This work *muſt* be done. There is no *middle* courſe, in my opinion, to be purſued." By *internal* enemies, this writer means the friends of Mr. Jefferſon. The Mercury Marat will have a conſiderable ſhare of buſineſs upon his hands. Nor is the mention of univerſal butchery peculiar to an obſcure ſcribbler. The writings of the Waſhington faction are full of ſuch menaces. When the long parliament of England aroſe in arms againſt Charles the firſt, they did not tell the Engliſh nation that every man, woman, and child was to be armed, that Oxford was to be reduced to duſt and aſhes, that the friends of monarchy were to be abſolutely, and of neceſſity extirpated. If Pym and Hampden had employed ſuch phraſes, they would have been ſent to the ſame madhouſe that Barlow, and the Americans at Paris, have aſſigned for Mr. Adams. Our muſhrom ſix per cent ariſtocracy, the maggots of congreſſional corruption, hold out language at Boſton and Philadelphia, that Sylla, in the midſt of his maſſacres and his legions, durſt not have held at Rome.

In contempt of this torrent of demonſtration, the preſident affirms that his government ſtudies NOT to perpetuate *malignant passions*. The truth is that he was elected, in a conſiderable meaſure, by the motely coalition of the paper-jobbing, and of the tory factions. He is principally ſupported by that double headed faction. His peculiar favor and confidence are reſtricted to the moſt furious emiſſaries of that faction.

Only one other extract ſhall be given from the anſwer to the Jerſey militia. "I regret," ſays Mr. Adams, "to ſee, in your addreſs, ſo "many fragments of thoſe old diſcontents, jealouſies, and murmurs; "which once made the citizens of New-Jerſey as tributary to their "neighbouring ſtates, as *the French now desire to make us all to them.*" New-Jerſey has never been tributary, nor is ſhe remarkable for grumbling. Of late, the federal orators have rung innumerable changes upon this word *tributary*. To the federal government nothing is more familiar. Thus we pay tribute to the ſemicircle of ſavage tribes along the weſtern frontier. Conſult our bargains with the Creeks and Kickkapoos. America is likewiſe tributary to Algiers. That tribute deſerves a ſpecial explanation. It will place in a clear light the talents of Mr. Waſhington, the œconomy of congreſs, and the caprice of Mr. Adams, in expreſſing ſuch peculiar antipathy to the payment of a *French* tribute.

This intereſting portion of American hiſtory has not hitherto been placed in a complete point of view. What follows will anſwer for the purpoſe of a work like the preſent. From the time of the revolution,

the veſſels of this country could not venture into the Mediterranean, becauſe they were not protected, as they formerly had been, by the Britiſh flag. In July, 1785, the corſairs of Algiers took, upon the Atlantic, two American ſhips. For eight years thereafter, they were confined within the Straits of Gibraltar, by the blockade of the Portugueſe navy. About the time when the new federal government had been eſtabliſhed, ſome citizens commenced a ſubſcription for the redemption of the priſoners at Algiers. The project met with cordial reception. General Jacob Morgan, with ſome other citizens, as a committee, waited upon preſident Waſhington, at his houſe in Philadelphia, with an account of the ſubſcriptions. *The greatest man that ever existed* ſhewed as little inclination for the relief of captain O'Brien at Algiers, as he ſince did for that of Mr. Paine from the Luxembourg. This *shepherd of the people** told the committee, that it was improper for individuals to interfere, and that government would attend to the buſineſs. This was the ſubſtance of his anſwer. Some gentlemen were in waiting for the committee, till they ſhould come out of the preſident's houſe. One of theſe was Mr. Thomas Leiper, who had ſubſcribed an hundred dollars. To this gentleman general Morgan ſaid theſe very words: "we have returned with our money in our ſack's "mouth." Such was the zeal of Mr. Waſhington for the relief of his fellow-citizens! If a Britiſh miniſter had riſked ſo barbarous a refuſal, every independent newſpaper in England would have thundered reproaches upon his head; and the intended benefactors would have completed their buſineſs in contempt of him. It is impoſſible to gueſs for what reaſon, the citizens of America did not execute their benevolent purpoſe in contempt of Mr. Waſhington. As for the promiſed interference of government, the public never heard more of the matter, for ſeveral years, until a new and unexpected emergency called forth a correſpondence with the Dey of Algiers. Under the old French monarchy, when a perſon was from twenty years of age to ſixty, immured in the Baſtile, there always exiſted ſome temptation to the deed, ſome object of avarice, of luſt, of ambition, or of vengeance. An explanation of this kind cannot be advanced for the phlegm of Mr. Waſhington. His refuſal muſt be reſolved, therefore, into that utter want of feeling, which conſtitutes the keyſtone of his character; and which has coſt the lives of ſo many hundreds of families, on the ſouth weſtern frontier.—But although American navigation was excluded from the Mediterranean, the tonnage and foreign trade of the United States multiplied with as much rapidity as it was poſſible to deſire. The reſtriction was a moſt trifling diſadvantage. The gigantic growth of the commerce and ſhipping of this country began to excite the jealouſy of England. The wretched proclamation of neutrality, of April 22d, 1793, was moſt likely communicated to Pitt long before it had been openly propoſed in the cabinet of America. On the 8th of June following, the court of London iſſued the order for ſeizing neutral ſhips

NOTE.

* *The favorite phrase of Homer, when he speaks of a king. This figure, so simple, and so beautiful, has been lost in Mr. Pope's translation.*

bound to France with proviſions. This was juſt forty-ſix days after the proclamation of Mr. Waſhington. Perhaps his manifeſto had reached England before that order iſſued. At any rate, Pitt was undoubtedly acquainted with the preſident's abhorrence for the French revolution. He knew that the United States could hardly ſtand alone in a maritime conteſt with England, and that the perſons at the head of the federal government would never join with France. This obvious explanation at once diſcovers the baſis of all the ſubſequent wrongs which America has endured from the corſairs of George the third. As if theſe inſtruments of miſchief had not been ſufficiently numerous and active, England ſeduced, or perhaps bullied Portugal into a tranſient truce with Algiers. The pirates inſtantly ruſhed through the Straits, as from a priſon, into the weſtern ocean. They took ſeveral American veſſels, and about an hundred and twenty priſoners. For all this havock we are to thank the diabolical malevolence of England. It is underſtood that Robert Liſton was the very perſon diſpatched by Pitt to the Dey, to direct him to the ſpecial deſtruction of American ſhipping. I had this notice at that time from a reſpectable correſpondent in North-Britain. It has ſince been repeatedly affirmed in American newſpapers.

When information of theſe additional piracies arrived in America, William Smith, Sedgwick, Hillhouſe, and the reſt of the ſtock-jobbers, conſidered them as affording an excellent pretence for increaſing the national debt, for extending the patronage of the preſident, for bracing the general force of the Waſhington faction, and of the funding ſyſtem. The ſwindlers of the old continental army are haunted with conſtant horror leſt, in ſome fit of common ſenſe, and of deciſive indignation, the people ſhall caſt into the flames the whole accumulated maſs of impoſture, villainy, and extortion.* On this account, they ſtrive to increaſe, upon all occaſions, the public debt. They know that the permanence of a ſuperſtructure depends upon the proportionate breadth of its foundation. Every new million which can be added to the public debt, embodies a freſh regiment of creditors in the phalanx of the party. Thus unavoidably does one bad action pave the way for another! The primitive ſpoilers created three-fourths† of the national debt for the ſake of their own immediate and perſonal profit. And now they wiſh to double this debt, in order that *the mountains may cover them*, that their own primitive pillage ma be ſheltered in the general compilation. With ſuch views it was that the party propoſed the building of ſix frigates, which were to croſs the Atlantic, and blockade Algiers. A more ſtupenduous abſurdity was never heard of. We ſhould not laugh at Don Quixote, and his windmills. Britain has a navy of at leaſt ſix hundred ſhips of war; and with all this immenſe force, it is found cheaper to bribe the Algerines than to fight them.

On this occaſion, the Britiſh partiſans diſplayed the genuine ſpirit of faction. They reſiſted Mr. Madiſon's reſolutions, thoſe of Mr. Clarke, and Mr. Dayton, and every other propoſal tending to place the United

NOTES.

* *From these epithets the* foreign *debt must be held as an inviolable exception.*

† *On such a point no man can speak with accuracy; but the above is a moderate guess.*

States at an independent distance from the encroachments and ravages of Britain. Not one of the plans produced by the republicans in congress tended to produce a rupture with the defender of the faith; but merely an honorable system of defensive neutrality. At the same time, those persons, who were for enduring every thing from England, plunged this country into the ridiculous and useless armament against the pirates of Barbary. The proper method for America would have been to negociate with Portugal to renew the blockade of the Straits.

Within the course of a few months, the queen of Portugal shut up the Straits. This destroyed almost all pretence for proceeding with the six frigates. Mr. Washington had then only two things to do. The one was to negociate with the court of Lisbon for the certain continuance of the blockade. The other was to redeem the prisoners, whose deliverance he had prevented some years before. On this occasion Mr. Washington displayed the same want of wisdom and economy that marks almost every other part of his administration. The building of the frigates crept forward at a monstrous expence. At the same time, a treaty was begun with the Algerines, but instead of confining himself to the redemption of prisoners, Mr. Washington wandered into the labyrinth of a regular and exorbitant annual tribute, for the sake of obtaining the admission of American vessels into the Mediterranean. This country had already more shipping upon the water than its influence could protect, or its capital could spare from purposes more essential. Instead of extending the sphere of her navigation, it was the interest of America to contract it.

But we shall for the present suppose that an extension of their commerce was an object of importance to the United States. Let us next enquire what was the real worth of the Mediterranean trade, and proceed with stating the amount of the tribute which this country pays to the Algerines for leave to carry it on. We shall then compare the two sides of the bargain; and draw the conclusions of profit or loss.

In 1793, the exports to Italy and Morocco came to two hundred and twenty-two thousand dollars. The exports of the United States were, in whole, twenty-six millions. The trade to these two countries made, at that time, an hundred and eighteenth part of the total mass of exportation.

In 1797, the exports to Italy and Morocco* came to seven hundred and eighty-two thousand dollars. The specified exports of the United States for that year came to fifty-one millions and three hundred thousand dollars. There was besides a large chasm of omissions in the exports of South-Carolina. The whole amount might

NOTE.

* This country is here classed as a Mediterranean state; but it lies more upon the Ocean.

perhaps be fifty-four millions. Of this maſs, the exports to Italy and Morocco form a ſixty-ninth part.

The trade to theſe two countries muſt be regarded as the only advantage ariſing from the Algerine negociation. But the year 1797 far exceeded the medium of exports; and farther, the Dutch and Engliſh would have been glad to convey, in their own bottoms, whatever proportion of American commodities the two countries might want. It is moſt likely that a part of the exports from the United States to Italy and Morocco, in 1793, were taken from this country in foreign bottoms, and under the name of England, or Holland, for example. I mention this merely to ſhew that the augmentation of the Italian trade ſhould not be altogether aſcribed to the Algerine treaty, which perhaps had no ſhare whatever in this increaſe of exports.

Theſe particulars prove the inſignificant object for which America has become tributary to Algiers. On an average, the exports ought not to be rated at more than five or ſix hundred thouſand dollars, per annum. The greater part of theſe cargoes would have been tranſported alſo by the Dutch and Engliſh merchants for the common and moderate percentage of the carrying trade. Hence the clear and real profit ariſing from the friendſhip of Algiers comes to a very trifling matter. It is only this, that we have a market ſomewhat better than what we otherwiſe might have had for an hundredth part of our foreign commerce. We buy and ſell for ourſelves, inſtead of tranſacting through the medium of a third party. In that petty portion of trade, therefore, we ſhall buy and ſell perhaps five per cent. better than we otherwiſe could have done. But even that is doubtful. A ſolitary American captain, when he enters the port of Leghorn with a cargo, has many diſadvantages in competing with the imports of an eſtabliſhed Britiſh houſe.

But ſuppoſe that thirty thouſand dollars per annum of additional profit are made by the trade to that part of the world, ſince it has been extended under the wings of the Algerine treaty,* and ſince it was carried on in American bottoms. *All is not won that goes into the purse*, ſays the proverb. If the capital employed in the carrying trade can be much better expended in farming, then the whole benefits pretended to come from the tribute to Barbary muſt iſſue in a perfect bubble. I ſhall hereafter go into that argument at ſome length; and ſhall only remark in this place that the ſituation of a farmer is certainly more independent and more happy than that either of a ſailor, or of an exporting merchant. Of the former, one half go to the bottom. Of the latter, one half go to jail; or at leaſt become inſolvent. But in the loudeſt wind that whiſtles through the ſky, in the moſt univerſal craſh that overwhelms commercial credit, the induſtrious farmer enjoys the pleaſure of his own fireſide.

NOTE.

* Such a conſequence of the treaty is not here affirmed, but only granted for the ſake of argument.

He goes to rest without fear of a starting plank, sleeps in a decent bed, and a dry shirt, and, as he wakes in the morning, finds his wife suckling the youngest of her children, and the rest of his boys and his girls romping in the barn yard.

The farmers of America have more land at home than they can cultivate; and many of our merchants are giving six per cent per month for bank notes. Under these circumstances, it is very injudicious to pay a large sum of tribute for the carrying trade of the Levant. That trade may be worth the ambition of England, or Holland; but the peculiar situation of America makes it to her superfluous. The Algerine tribute is just so much money utterly cast away; because the capital employed upon that branch of the carrying trade which it protects, could be much better expended at home upon bridges, canals, and high roads.

I have thus attempted to form an estimate of the worth of the Mediterranean trade. The next point in order is to ascertain the amount of the Algerine tribute, that a judgement may be formed of the wisdom and œconomy of the whole transaction.

CHAPTER III.

History of the Algerine tribute—Persecution of John Swanwick—Additional tribute to Britain—Sequel of remarks on the answer to the New-Jersey address.

THE last chapter contains an account of the rise and progress of our unfortunate acquaintance with the Algerines, with an estimate of the value of the trade to the Mediterranean. The next point is at what price Mr. Washington purchased the forbearance of these barbarians. As to some part of the money, I possess not materials for speaking with minute precision upon the manner in which it was expended. But the principal circumstances are known with perfect exactness; and enough can be told for the satisfaction of reasonable curiosity. The facts shall be arranged as distinctly as possible. They deserve the utmost attention.

Joseph Donaldson was employed, as sub-agent under Mr. Humphries, to negociate with the Regency of Algiers. He set sail upon that business, without the knowledge, and against the expectation of Mr. Humphries.* Hence, from the very manner of his outset, blunders were to be expected.

NOTE.

* Monroe's View, &c. p. 32.

The treaty with Algiers was fubſcribed by the Dey, and by Mr. Donaldſon, upon September 5th, 1795. The Dey promiſes to obſerve it, "on conſideration of the United States paying annually "the value of twelve thouſand ſequins in maritime ſtores." The deed ſays nothing reſpecting the rate *at which the ſtores are to be reckoned.* No ſchedule is annexed, either of what articles are to be delivered to the Dey, or at what price they are to be eſtimated. Thus the treaty looks on the firſt bluſh.

But in fact a ſchedule was made, although the federal government has, for very diſgraceful reaſons, thought proper to ſuppreſs it. The ſequel of the affair has been diligently diſguiſed in the acts of Congreſs. A ſequin is worth a dollar, and ſomething more than ninety-ſix cents. Of courſe, twenty-four thouſand dollars can purchaſe maritime ſtores to the worth of twelve thouſand ſequins. On May 6th, 1796, "twenty-four thouſand dollars per annum are "pledged and appropriated for the payment of the annuity." But it was immediately found that, by the eſtimate of prices fixed between Donaldſon and the Dey, the ſtores were to coſt three times as much in Philadelphia, as they were to be counted for in Algiers. For inſtance, Donaldſon promiſed to furniſh powder at half a dollar per pound. At that very time, powder was ſold in Philadelphia for three half dollars per pound. Thus, by the groſs incapacity of the American envoy, the tribute was at once trebled.

Another inſtance ſhall be given of the juſtice of this laſt aſſertion. The bargain for maſts was of the ſame kind with that for gunpowder. Donaldſon eſtimated them at three hundred dollars each. There is reaſon to think that they could not be conveyed to Algiers for a total coſt of leſs than twelve or thirteen hundred dollars. Some of them had been cut within a few miles of lake Otſego, in the ſtate of New-York. A perſon, who was concerned in the buſineſs, ſaid, that they coſt one hundred pounds per ſtick for tranſportation from the place of their growth to the lake. From thence, they were to be floated down the Suſquehanna, which riſes from that body of water. In May, 1797, a number of theſe maſts had come as far as Wright's ferry, in Pennſylvania. Several had ſtuck upon the rocks. About Chriſtmas, 1797, others had been ſold at Wright's ferry for twenty dollars each, and were ſawed down into planks. Judge Cooper had been the contractor for theſe maſts; and well it was for him that he had voted in Congreſs for Jay's treaty. He got one or two ſticks tranſported by land to Philadelphia. He offered to the perſon who took them down eighty dollars for the carriage.* In anſwer, he was told that twice that ſum would be neceſſary. The maſts were, themſelves, a beautiful ſpecimen of the vegetation of an American foreſt. They were ninety or an hundred feet long, and

NOTE.

* In making a note of what was ſaid, I forgot to ſpecify whether this ſum was the whole freight, or whether it was the price of each maſt. I am tolerably ſure that it was the latter.

from three to four feet in diameter, without one limb in the whole piece.

Before the Senate and President had ratified this treaty, with the schedule annexed, they should have read over the schedule with strict attention. If they did not know the price of gunpowder, one of their own clerks or door keepers could have told them that secret. This is the inconceivable negligence, or something worse, with which public business has hitherto been conducted by the federal majority. An amendment was entirely within the power of the Senate. Humphreys, in the codicil, reserves the final ratification to them and the President.

But nothing of this nature is to be expected from the greater part of the Senate. A member of that assembly once assured me, that as to the majority of the Senate, there was not, in his opinion, *a more corrupted body of men upon earth!* He said that he had heard much of their depravity before he went among them; but that what he daily saw with his own eyes, did far exceed what had been reported to him, or indeed whatever he had believed to be possible. I have received observations to the same purpose, although not in the very same words, from other members of that illustrious body. And before proceeding with the Algerine tribute, I shall just mention two anecdotes of the Senate of Congress.

After the close of the western expedition, general Mason proposed, in the Senate, that an account of the expences should be given in from the treasury. This motion was agreeable to an express clause of the constitution. It met with warm resistance. At last it was carried; but in March 1799, the accompt had not been produced; and in all probability, it never will be so. An interval of more than three years had elapsed from the date of the resolution to the rising of the fifth Congress, in March last; and not the smallest attention had been paid to the demand. The accompt had neither been laid before the Senate, nor had the secretary condescended to tell them when it would be ready. This is an excellent way to conduct public business. What would you think of a clerk in your store, or an overseer of your plantation, who refuses to give in his accompts?

Another circumstance may serve to shew what the Senate is. Grenville agreed to insert in Jay's treaty an article for the protection of American seamen from British press-gangs. Jay did not chuse to write the article. For this gross breach of duty his excellency should have been sent to the wheel barrow. Instead of that, he was made governor of New-York. When he came from England, this ambassador, with the most surprising composure, put upon the table of the Senate, the very letter by which it appeared that this proposal had been adopted by the British minister, and overlooked by Hamilton's journeyman. If one drop of republican blood had warmed in the veins of the majority of the Senate, if their hearts had been accessible to the common feelings of humanity, if their skulls had been capable of thinking, or their faces of blushing, they

never would have ratified a Britiſh treaty of any ſort without the moſt ſolemn ſtipulations in favour of fifty thouſand of their brave, ignorant, and betrayed countrymen, who were thus given up to ſlavery. But when the Senate ſaw Grenville's own letter lying before them, when they read his own agreement to ſuch an article, their ſupineneſs, or treachery, muſt aſtoniſh thoſe who are not acquainted with them. Oh! that nature would grant me for juſt ten minutes, the genius of Curran, or Henry, that I might deſcribe, in its proper and immortal characters of deteſtation, that blackeſt of federal crimes, the deſertion of American ſeamen!* Compared with this horrid connivance, the robbery of the old army was but a flea-bite. I return to the Algerine tribute.

The conſequence of theſe monſtrous blunders by Donaldſon was that the twenty-four thouſand dollars per annum would not purchaſe the maritime ſtores. Of courſe Congreſs found themſelves reduced to the ridiculous neceſſity of paſſing a ſecond act of appropriation. It was dated March 3d, 1797, and the ſecond clauſe is in theſe words: "And be it further enacted, that a further ſum, not exceeding ninety-ſix thouſand two hundred and forty ſix dollars, and ſixty-three cents, be, and the ſame is hereby appropriated for diſcharging the *two firſt years* annuity to the Dey and Regency of Algiers, purſuant to treaty, in *addition* to the ſum appropriated for that purpoſe, by the act of the 6th of May, 1796."

Thus forty-eight thouſand dollars are paid with *an hundred and forty-four thousand*! Can any man deny this ſtatement? Or does there exiſt a man who dares to defend ſuch an exorbitant waſte of money? An additional tribute of fifty thouſand dollars a year has thus been ſaddled upon this country for ever, by the incapacity of Donaldſon, and the ſcandalous negligence of the ſenate.

The worſt part of the ſtory is yet to come. The firſt clauſe of the law juſt quoted authoriſes the preſident "to apply a ſum not exceeding *two hundred and eighty thousand, two hundred and fifty-nine dollars, and three cents*, to the expences which may have been incurred in any negociations with *the Dey and Regency of Algiers*, beyond the ſums heretofore appropriated." The vague phraſe of *any negociations* hath a ſuſpicious ſound. The law contains not one other word of explanation, ſo that, for any thing which appears upon record, the money might have been voted for the ranſom of Mr. Waſhington's dog. It ſeems unaccountable that after having paid the tribute for the firſt two years, exactly three times over, we ſhould, in another ſhape, have to pay the ſame tribute of forty-eight thouſand dollars about ſix times over. Yet ſuch was the caſe.

The matter was ſhortly this. Various delays occurred on the part of America reſpecting the remittance of money to the Dey,

NOTE.

* Pickering's recent correſpondence with captain Giles affords a fine illuſtration of the feelings of government.

He began to grumble, and in order to appeaſe him, the greateſt general in the world, of his own proper motion, built a frigate for the ſervice of our Mahometan maſter. Thus was America reduced to the ſituation of a reſpited convict, who ſpins ropes for the execution of his aſſociates. We are permitted to traffic in the Mediterranean, upon condition that we ſhall furniſh theſe barbarians with the materials for murder. Thus, the United States are placed upon an exact level with thoſe banditti. The one dances; the other holds the candle. Such work is the very conſummation and definition of political diſgrace; and yet we ſometimes chatter about the *dignity* of this country.

The Creſcent frigate had been finiſhed, or thereabouts, before it was thought worth while to conſult Congreſs. In the American Annual Regiſter for 1796, I took notice, that it was then upon the ſtocks, and the law which aſſigned the money to pay for it, was not paſſed for ſix weeks after the publication of the book. It is impoſſible to invent a more palpable or dangerous breach of the conſtitution than that here ſpecified. By that inſtrument, of which the preſident ſwore to the obſervation, he is expreſsly prohibited from touching one farthing of public money, unleſs for purpoſes pointed out before hand by Congreſs. To demonſtrate the guilt both of him and them, it is only requiſite to read the clauſe laſt quoted. The very fractions in the ſum of the appropriations for the treble tribute, and for the Creſcent, ſhew that the money had been expended before Congreſs had been conſulted; becauſe the legiſlature would not have ſtopt at *three cents*, unleſs it had been to meet ſome particular accompt. *Thus acts of Congreſs have been reduced to an arrant puppet-ſhew.* And while that virtuous aſſembly are thus trampling into annihilation the very heart of the federal conſtitution, while their own ſtatutes, with a voice louder than the laſt clap in a thunder ſtorm,* prove their miſmanagement, they come forward in the ſtile of Nero to tell us that we ſhall not *bring them into contempt!*

How much of theſe two hundred and eighty thouſand dollars went for the frigate I cannot ſpecify. The Aurora of March 30th, 1797, has a long article upon this tribute; the writer ſays that the Creſcent coſt *ninety nine thouſand ſeven hundred and twenty ſeven dollars.* There is aſſuredly ſome other way of telling that ſtory, becauſe the frigate could not be completed for ſo ſmall a ſum. Whatever the expence was, if congreſs had done their duty, they would have directed the preſident, and his agents, to pay the whole ſum, out of their own pockets, becauſe the demand for it ſprung confeſſedly from their own blunders. The firſt wrong ſtep of the preſident, with regard to the remittance of the tribute, was aggravated by every poſſible circumſtance of impropriety. In direct breach of the conſtitution, he involved the United States in the additional expence of

NOTE.

* A Similie from Oſſian.

that frigate, without deigning to conſult the legiſlature of his country. If ſuch proceedings are ſuffered, it is evident that all civil government muſt ſoon be at an end. I am as ſolicitous as any man can be to think well of Mr. Waſhington, to believe, if poſſible, that he was miſled by the bad people about him, and that he ſerved his country with zeal, as far as his faculties, and information, would carry him. But when a perſon preſumes to addreſs a great nation upon its public affairs, and its moſt ſerious concerns, he muſt not ſuffer the feelings or the fame of an individual, to ſtand between him and truth.

It is remarkable that this treaty does not ſay from what date the firſt year of payment was to commence, nor at what periods the ſtores were to be delivered. But, computing from September 5th, 1795, only four years have yet elapſed. The Dey is dead, and it is ſaid that his ſucceſſor demands a new preſent. This muſt be granted, and it will moſt likely terminate in an exaction of perhaps five hundred thouſand dollars. This is the way in which tribute is paid by the country, while money coſts from twenty to ſeventy-two per cent. per annum, payable monthly. Such is the frugality of the federal government. If Joel Barlow had been diſpatched upon this affair, we ſhould not have heard ſo much of bungling. But then Barlow is a republican, and almoſt as bad a Chriſtian as Paine himſelf. It would be terrible, indeed, if the immaculate citizens of America were to be repreſented in Barbary by ſuch abandoned reprobates.

By the ſame prerogative on which Mr. Waſhington promiſed and built one frigate without legiſlative ſanction, he might as lawfully have given away twenty. The amount would have been different; but, in both caſes, the principle muſt have been exactly the ſame. This is the treaty-making power, as explained in Jay's tranſaction. That claim, as it now operates, is the tomb-ſtone of American freedom, the ſign poſt which points to the brothel of an elective but deſpotic monarchy; for it ſignifies nothing to prattle about federal independence, when a preſident, and two thirds of a quorum of the ſenate, may jump into your pocket exactly as far as they pleaſe.

Beſides the ſeventy-two thouſand dollars per annum, and the two hundred and eighty thouſand dollars of penalty, the Dey has received from the United States another, and a very conſiderable diſburſement, in conſequence of Donaldſon's treaty. A large ſum of money was to be paid down to him, and it was the delay of making this payment that produced the building of the Creſcent. On the face of the treaty there appears no mention of ſuch a ſum. Government was undoubtedly aſhamed of it; and did not wiſh the ſtory to be ſtaring in the ſtatute book. This humble artifice has not been able to conceal the fact. I ſhall now give the particulars, as far as they can be traced.

On March 20th, 1794, a law paſſed authoriſing the preſident to borrow one million of dollars, at an intereſt not exceeding *five* per cent. "to be applied to ſuch public purpoſes as are *authorized by* "*law.*" The bank of the United States is, by the ſame act, authoriſed to lend the money to the preſident.

This act bears, in its very first blush, the signals of hypocrisy. It is well known that no money can be borrowed at *five* per cent. and much less a million of dollars. But Congress knew that they were going to do something which was *a little worse than ordinary*; and this blind was held out with a view to divert the attention of their constituents from the real fact, and to excite admiration, to be sure, at their wonderful economy.

The wording of this act is curious in another respect, in as much as it does not tell what was going to be done with the cash. Eight hundred thousand dollars of it were to be employed in this infernal negociation with the dey of Algiers. The other two hundred thousand dollars went for other expences of intercourse with foreign nations. On February 15th, 1797, Mr. Wolcott gave a statement to Congress of what was become of these two hundred thousand dollars. This document fills eighteen pages. It is extremely interesting; but we must, at this time, attend the eight hundred thousand dollars, in their perilous pilgrimage from Philadelphia to Algiers.

What follows has been partly copied from the Aurora, of March 30th, 1797; and it must be observed that, although government has an host of writers in constant employment, this narrative was never contradicted. Indeed the principal features of it are incontestibly true; and from the most respectable private information, I am satisfied of the strict accuracy of the whole circumstances which are now to be related.

These eight hundred thousand dollars were to be borrowed from the bank, which had not the hard money to itself. But this company holds a great mass of national stock, and agreed to lend it to government at *par*. In other words, the bank held the bill of government for twenty shillings; but this bill would not sell in the market for more than seventeen shillings, or thereabouts. Government consented, however, to accept of it back again, as worth twenty shillings, and to give a second obligation for the million of dollars. This awkward practice of taking back its own bills, and then going to market to sell them, is not perhaps quite intelligible to every reader. Government having now got hold of its own bills, the object was to raise money upon them. The bills might have been sold in America, but so great a quantity of them coming into the market at one time would have reduced the price of stock, and several members of government are stockholders. The bills of government were, therefore, sent to London, and sold there at a lower price than what they would have sold for in the United States.

	Dols.	*Cents.*
The sum borrowed from the bank was	800,000	
The Aurora says that the government bills, that is, the national stock, received from the bank, sold in London for only	685,572	22
LOSS BY THE SALE,	114,427	78

Sir Francis Baring, the banker in London, had, in the mean time, agreed to advance seven hundred and two thousand, seven hundred and fifty-eight dollars, on account of this affair. In November, 1794, an attempt was made to get the money from England. But a proclamation had, about that time, been issued at London, prohibiting the exportation of bullion. This made it impossible to send the remittance in that shape. After a lapse of eight months, drafts were obtained upon Leghorn, Hamburgh, and Lisbon. At this juncture, the French took Leghorn, but Buonaparte did not interrupt the transaction. By the course of exchange, however, thirty-seven thousand seven hundred and fifty eight dollars were lost. The sum was thus reduced from seven hundred and two thousand and odd dollars, to six hundred and sixty-five thousand. The Aurora says that this last sum, in its remittance to Algiers, was again reduced to six hundred and forty-two thousand five hundred dollars.

We shall now add together these three successive sums of loss, which those eight hundred thousand dollars sustained.

	Dols.	*Cents.*
1. The national paper was sold in London, with a loss of	114,427	78
2. By the disadvantage of exchange in the drafts upon Leghorn, &c.	37,758,	81
3. Expence of conveyance to Algiers,	22,500	
	174,686	59
But there is another item of expence. Before the American public stock was sold, Sir F. Baring had promised to send to the continent	702,758	51
The paper sold for only	685,572	22
Difference,	17,186	29
It would be necessary for the government of America to make up this difference to their agents in London. Add this to the former losses,	174,686	59
Total loss by the remittance,	191,872	88

Besides these one hundred and ninety-two thousand dollars of direct loss, the money wandered for more than twelve months upon its way. At six per cent. upon eight hundred thousand dollars, this interest comes to forty-eight thousand; and we cannot offer less than twelve thousand to the bankers in London for their trouble. This makes an additional waste of sixty thousand dollars.

	Dols.	*Cents.*
The former statement of loss was	191,872	88
Interest of the eight hundred thousand dollars for one year, and subjoining for agency to Baring,	60,000	
Total,	251,872	88

The concluſion of the whole matter is this. Congreſs tranſmitted to Algiers, *six hundred and forty-two thousand, five hundred dollars.* The additional expence of ſending this money coſt two hundred and fifty-thouſand dollars, or thereby. This is the method in which Congreſs borrows money at *five* per cent!*

If Mr. Waſhington had choſen to go into the market, and buy theſe eight hundred thouſand dollars worth of ſtock from the common holders, a conſiderable ſum would have been ſaved to the public. For inſtance, if ſtock was at eighteen ſhillings per pound, this made an odds of one tenth part. At that rate, his nominal eight hundred thouſand dollars worth of it, could have been bought in for ſeven hundred and twenty thouſand dollars of hard caſh, if he had been maſter of that much money. In this way Pitt has bought in ſome part of the national debt of England. But as the federal government could not take that method, it was neceſſary to go to the bank of the United States, and there to borrow, not money, but *depreciated paper.* This paper was ſold in England at the ruinous diſcount of one hundred and fourteen thouſand four hundred and twenty-ſeven dollars. Thus government granted its obligation to the bank for eight hundred thouſand dollars, and could be obliged by the bank *to refund every farthing of the ſum*, while it received in return depreciated paper, which it was obliged to ſell again for leſs than ſeven hundred thouſand dollars. The reſult was, that the bank did in effect receive, upon the tranſaction, a premium of about *one hundred thousand dollars*, more or leſs. The bank had only to go into the market, and buy at about ſeventeen ſhillings and ſix pence per pound, as much paper as Mr. Waſhington wanted, and for which he gave an obligation at *par*, that is, at its full *nominal* value of twenty ſhillings per pound.

This is a faithful counterpart of the ſcandalous evaſion employed with regard to the two Maryland loans for the federal city.† If I have been able to make myſelf completely intelligible, the reader muſt at once perceive, that the whole ſpirit and deſign of the ſtatute has been broke through by a moſt ſhameful juggle. No peculiar cenſure is here pointed at Mr. Waſhington, or his adherents in Congreſs. This plan of borrowing the money was unqueſtionably framed before the law paſt; and was moſt likely foreſeen by both parties. The republicans in Congreſs have ſince been ſilent reſpecting it. Thus the matter has received their tacit approbation. The honeſt and unſuſpecting farmers of Virginia, the citizens, who do not wiſh to make their ſons exciſemen, or poſtmaſters, are requeſted to give attention to this alarming connivance. If the republicans, for example, had acted quite up to their duty, they ſhould have made the hiſtory this ſhabby trick to reverberate through an hundred newſpapers.

NOTES.

* The Aurora ſays that the intereſt of the money was not to exceed *ſix* per cent. This muſt be an error of the preſs. For Folwell's edition of the Statutes makes it *five*.

† Supra, Chap. I.

Thus we have got a rough outline of the progreſs of the Algerine tribute.

	Dols.	*Cents.*
The firſt money granted was on March 20th, 1794,	800,000	
March 3d, 1797,	280,259	3
	1,080,259	3

Thus it is proved by the ſtatute book that this buſineſs has coſt *one million and eighty thousand dollars*,—beſides a perpetual annuity of at leaſt *seventy-two thousand more*, on the part of America. The whole ſcene preſents a maſter piece of ignorance and abſurdity, of preſumption and prodigality, that reflects the utmoſt ridicule and reproach upon the federal adminiſtration. With regard to the expenditure of public money, the ſafeſt baſis of general opinion is to ſuſpect *the very worst which can possibly happen*. For, in three caſes out of four, the conjecture will be juſt.*

The ſtatement of the Aurora mentions eighteen thouſand dollars, which Mr. Barlow had promiſed to the Dey, to compenſate for delays; and fifteen thouſand ſix hundred and forty-four dollars, and forty-four cents, as the expences of Mr. Humphreys. The former of theſe articles is perhaps comprehended within the appropriations already ſpecified. I conjecture that the other is that introduced by Mr. Wolcott, in his report to Congreſs, of February 15th, 1797, wherein he accounts for the two hundred thouſand and odd dollars, granted along with thoſe eight hundred thouſand dollars for Algiers. The article ſtands thus:

	Dols.	*Cents.*
"1795—July 16. Tench Francis, on account of the coſt of the brigantine Sophia and cargo, and ſundry articles of merchandize purchaſed by him, and David Humphreys, eſq. on a miſſion to the Barbary ſtates,	10,000"	
A ſecond article is, for the balance of this expenditure,	5,197	22
	15,197	22

This paſſage is here copied from the report for a ſpecial purpoſe. The deſign is to ſhew the method and ſtile of giving in to Congreſs

NOTES.

* There is not in hiſtory a more unaccountable circumſtance than that fondneſs for groſs adulation, for the moſt vulgar kind of toad-eating, which has burſt forth like a peſtilence all over America. This makes it the more neceſſary to ſpeak with plainneſs concerning

an account of the diſburſement of public money. It is probable that not four members ever heard of this voyage until it had been plated. Aſk Mr. Gallatin, for inſtance, what was the object of making it, what were theſe articles of merchandiſe, and what became of them? The only anſwer which he can make is this, *that fifteen thouſand dollars have been dispatched!* At leaſt there are two hundred chances to one that this is the only explanation which he can give.

Some additional extracts from this report well deſerve attention. There are three different charges, of twenty thouſand dollars each, for the uſe of the miniſters abroad. Theſe are dated January 13th, June 30th, and Auguſt 29th, all in the year 1794. The firſt charge only ſays, "to be remitted to the commiſſioners of the United "States in Amſterdam, for the uſe of the miniſters abroad." The ſecond is, "to be applied towards diſcharging any expences which "may be incurred in relation to the intercourſe between the Uni-"ted States and foreign nations, agreeably to law." The third is, "for the ſame purpoſes as are expreſſed in the preceding warrant." The particular application of the money has not been ſpecified. On the ſame page, we find appropriations for Meſſrs. Monroe, Short, Skipwith and colonel Humphreys.

An article of Auguſt 14th, 1795, ſtates *ten thouſand dollars*, "for defraying Mr. Adam's expences on a miſſion to England." It is almoſt incredible what enormous ſums of money this young man has, at one time or other, ſucked from the treaſury. The voracious diligence of his father verifies the remark that *hunger bites hard*. John Quincy Adams has ſince had three ſucceſſive out-fits of *nine thouſand dollars each*, as ambaſſador, to Holland, to England, and to Pruſſia, beſides his ſalary of nine thouſand dollars per annum. All this together comes to a ſmart ſum.

	Dollars.
Expences of miſſion to England, in 1795,	10,000
Three other outfits, at nine thouſand dollars each,	27,000
Salary—from January 1ſt, 1796, to January 1ſt, 1800, being four years. This item is uncertain. But we ſhall take the two firſt years at four thouſand five hundred dollars each, and the two laſt at nine thouſand dollars each. This make in whole, for the four years,	27,000
Total to the preſident's ſon,	64,000

NOTE.

the multiplied corruptions of the federal government. As a ſample of modern taſte, obſerve what follows:

During the reign of Mr. Waſhington, Dr. Walter Jones was canvaſſing for a ſeat in Congreſs, in that aſylum of found information, the Northern Neck. A letter was produced from the doctor, wherein he mentioned the preſident not as general, but only with a plain *Maſter Waſhington!* By this phraſe, Dr. Jones loſt a number of votes.

It is possible that there may be an overcharge of perhaps an outfit of nine thousand dollars. Documents are not at hand to ascertain the exact amount of this catalogue of pillage. To cut short all objections, therefore, the supposed sum shall be restricted to *fifty thousand dollars*, which, as I have the best reason to believe, is far below the fact. This makes twelve thousand five hundred dollars per annum. The soldier, who got a shot through his lungs at Saratoga, when MASTER Quincy was in his primer, has, upon his petition, the possibility of seven dollars and an half.

The same report contains a number of other large disbursements, under this general phrase, *for the use of the ministers abroad.* This is all which Congress knows respecting the matter. And the closing word ABROAD is the sole evidence for thinking that this money was not *for the use of the ministers* AT HOME. This affair of foreign intercourse consumes immense sums of money. For instance, advancing to page 10th of this report, there is an article dated January 3d, 1795, in these words: "for defraying the *extra* expences of the "diplomatic department *twenty thousand dollars.*" On March 7th, 1795, we find, under the same head, *five thousand five hundred and ninety-five dollars*; and on July 7th, thereafter, *ten thousand dollars more.* Such a mass of *extra* charges, has, to the common eye, somewhat of a doubtful appearance. If Mr. Wolcott is asked what has become of the money, he answers that he knows nothing about it. In the introduction to his report, the secretary "conceives it to be "his duty, to state, that *neither the accompts of the foreign ministers, bankers, and agents of the United States, nor the records of "the department of state, contain* ANY EXPLANATION *in respect to "a considerable sum of the said monies.* Measures for a settlement "have been adopted."

Unquestionably so; and our great grandsons will shed their teeth before the termination of the tale. Mr. Wolcott could not have spoke more frankly; nor was it possible for him to have devised a more slovenly and suspicious explanation. To cast particular blame upon this gentleman is remote from the present purpose.* This report forms but a drop in the Atlantic of federal prodigality. Such has been the government of *your own choice*; and a charming choice it is!

There is one article of May 7th, 1795, in these words: "for "providing complimentary presents to be made several foreign ministers who have taken leave, *two thousand six hundred and seven "dollars.*" This sum is trifling; but the principle is not in the constitution. Before providing presents, government should pay its debts; and make justice keep pace with generosity.

NOTE.

* We shall in due time see that, on an important occasion, this gentleman discovered a much stronger aversion to swindling than the majority of the last House of Representatives. We shall see his positive declaration, that they behaved like sharpers; and this declaration is recorded in *their own journals!*

Virginians! I conjure your attention to a single, an inconteſtible, and an all-important fact! You have ſeen a ſpecimen of the manner in which the federal adminiſtration accounts for public money. Thouſands, and twenties of thouſands of dollars are gone, God knows where! The ſecretary of the treaſury cannot tell. But he ſays that he has *adopted meaſures* for diſcovering what has become of them.

Having, upon ſuch teſtimony, prepared your minds for aſtoniſhment, permit me, citizens, to ſtate the fact to which I refer. The fact then, is that, *for millions of dollars*, we have juſt ſuch an explanation as that preſented in the above report. The officers of government entrench upon the public revenue juſt as they pleaſe. Their accompts are, for the moſt part, buried in ſuch indefinite terms, in ſuch libraries of paper, in ſuch irregularity and perplexity, that the diligence and acuteneſs of Mr. Gallatin himſelf cannot decypher one hundredth part of them. This gentleman has indeed ſet an alarming and ſingular example of attention to his duty. But after all, he muſt be contented with pecking upon the ſurface of the millſtone. He cannot bore it through. For the faithful expenditure of millions of the public money, there can be produced but one pledge, and that is, the perſonal probity of the deliverers of Jonathan Robbins, marſhalled, as they have been, by the inſpector general of the ſtanding army, by the bungling forger of Maria's correſpondence, by the ſelf-recorded practitioner and apologiſt of perjury.

From what has been ſaid you muſt not infer that a mark of diſreſpect is here pointed at the ſervices, or the worth, of Mr. Gallatin. This gentleman has only failed of atchieving what it was beyond the compaſs of human abilities to perform. He neither had, nor was it poſſible that he could obtain materials for the execution of his arduous taſk, for *an honeſt explanation of the diſburſements of the treaſury*. Thus, for example, we have been told that the regency of Algiers received, in hard cash, the ſum of ſix hundred and forty-two thouſand five hundred dollars. But where is the teſtimony that they received this money, or that it was ever ſo much as promiſed? The ſtatute book, the regiſter of national treaties, is ſilent upon the ſubject. For the promiſe, it would ſeem that our ſole teſtimony muſt be that of Mr. Donaldſon. Nobody can tell but what the two hundred and eighty thouſand dollars may have been a part of the ſix hundred and forty-two thouſand. All is darkneſs and confuſion. Yet it has been diſtinctly proved that the adminiſtration felt ſhame for its conduct, and made ſome contemptible efforts to conceal what it was doing. This proves that there is room on the part of the people, for the moſt unqualified ſuſpicion.

Here follows a ſhort anecdote of Meſſrs. Harper and Gallatin.

On March 26th, 1798, the Houſe of Repreſentatives went upon the ſubject of military appropriations. The ſecretary of war had eſtimated the rations for the ſoldiers at twenty-five cents each. Mr. Gallatin obſerved, that, in 1795, they coſt only fifteen cents, and in 1797, had been raiſed to twenty; that ſince laſt year, proviſions had rather fallen in the price, and that of courſe, this addition to the

charge was wrong. Mr. Harper anſwered, that this augmentation was propoſed upon account of Indians, who frequently viſited the military poſts. Mr. Gallatin replied, that if rations were wanted for Indians, the bill ſhould ſay ſo, and not charge this expence to the account of the army. The five cents were rejected. In this affair government behaved juſt like a pedlar, who ſeeks five ſhillings a yard for linen, but when that is refuſed, accepts of four. The point was to get, by ſome pretence or other, as much money as poſſible from the pockets of the people. If Gallatin had propoſed to raiſe the price of rations to fifty or an hundred cents, the offer would have been received with joy. The defeat of this pitiful trick was ſucceeded by that of another. The ſecretary at war had propoſed three additional agents for tranſacting buſineſs with the Indians, at ſalaries of *a thouſand dollars each*. Nobody could tell what was to be the uſe of theſe agents; and the propoſal was rejected by thirty-four votes againſt twenty-nine. With ſo many ſnug jobs to diſpoſe of, it is no wonder that adminiſtration has a majority, though but a very ſmall one, in the Houſe of Repreſentatives. Mr. Harper next propoſed an additional item of an hundred thouſand rations for Indians, at twenty cents each; as if the country was not already at an extravagant expence on account of theſe people. It would have been impoſſible ever to trace the diſpoſal of this ſum. The Houſe, in a fit of integrity, rejected the motion by twenty-eight votes againſt twenty-ſeven. Theſe anecdotes diſcover in what way the ſervants of the public would pluck and plunder, if left entirely to themſelves.

Something ſtill remains to be ſaid reſpecting the Algerine tribute. It is well known that the French republic would gladly have interfered with the Dey, on the part of the United States, on the ſmalleſt hint from Mr. Waſhington. Of courſe, the treaty, ſuch as it is, might have been obtained for perhaps a tenth part of the money which it has actually coſt. Such baneful perverſeneſs merits the warmeſt reprobation.

The writer in the Aurora computes the exports of this country to the Mediterranean at fifteen hundred thouſand dollars a year. The exports to Italy for the year ending on September 30th, 1796, came to eleven hundred thouſand dollars. But there was, for that year, the greateſt amount of exports which this country has ever ſeen. This amount, therefore, is not a proper criterion. The exports to Morocco are not ſpecified in the printed tables of 1796. But, as formerly noticed, the medium cannot be rated higher than five or ſix hundred thouſand dollars.

When formerly ſtating the worth of the Mediterranean trade, there was one circumſtance of which I did not take notice. This was the privilege obtained of viſiting in ſafety the French and Spaniſh ports upon that ſea. The prodigious augmentation of the American exports, previous to the poſſeſſion of this privilege, aſcertains that it was but of ſmall importance.

In the debates of January, 1794, Mr. Jeremiah Wadſworth oppoſed Mr. Madiſon's reſolutions. One of his reaſons was, that they

favoured the augmentation of American ſhipping, and that this country had already *too much property upon the water*. This was a very uncommon ground of objection, and undoubtedly the beſt that could have been choſen. For fear of miſtaking his meaning, I riſked the freedom of taking Mr. Wadſworth aſide, and aſking if I had underſtood him correctly. He gave, at ſome length, his reaſons for this opinion. Mr. Wadſworth is the beſt informed and moſt reſpectable man that Connecticut ever ſent to congreſs. His ſentiments on this head muſt, of courſe, have the greateſt weight. In 1793, the exports came only to twenty-ſix millions of dollars; and Mr. Wadſworth believed that even then, we had too much property upon the water. Since that time the exports have been more than doubled. In 1795, they amounted to forty-eight millions. Thoſe of 1796, came to ſixty-ſeven millions. Mr. Wadſworth undoubtedly conſiders the Algerine ſubſidy as an abſolute bubble, and that, excepting the ranſom of the captives, it would have been much better to keep the money to ourſelves.

Theſe remarks upon the Algerine buſineſs have run to an unexpected length. But they are of the utmoſt importance. They place the Waſhington cabinet in its proper point of view; and they aſcertain the abſurdity of Mr. Adams in briſtling up at ſuch a rate reſpecting the *French tribute*. The miſtake that produced the two hundred and eighty thouſand additional dollars has been aſcribed to Mr. Thomas Willing, and to Sir Francis Baring. The latter is a merchant in London. He failed, it is ſaid, in his engagement for advancing the whole, or ſome proportion of the tribute, at the time agreed for. This gentleman has conferred upon America ſome other obligations of the ſame nature. He was active in the ruin of that inflexible republican, Mr. John Swanwick. The houſe of Baring and company were Mr. Swanwick's principal correſpondents in London. At the period when French and Britiſh depredations, began to embarraſs his affairs, they were indebted to him, for a conſiderable time, in twenty-five thouſand pounds ſterling. A ſtatement to that effect was made out and preſented to the company by Mr. Foſter of Philadelphia, who was then in London, and who acted for Mr. Swanwick. The houſe did not deny the accuracy of the account. Yet, at that very juncture, they ſuffered Mr. Swanwick's bills, drawn upon them, to return proteſted. The reſult was that Mr. Swanwick had to pay them here, with heavy damages, and this at a time when five per cent per month was the common rate of borrowing money. Mr. Swanwick read to me a copy of the original ſtatement, as drawn out and preſented in London by Mr. Foſter, along with the correſpondence connected with it. Such treatment, and the general hiſtory of Mr. Swanwick, demonſtrate the precarious nature of foreign trade, and the raſhneſs of plunging into war in defence of it, or into the payment of foreign tribute for the ſake of extending it. Mr. Swanwick poſſeſſed eminent mercantile talents. He long enjoyed the ſmiles of fortune. The diſaſtrous termination of his efforts may ſerve as an uſeful admonition to others, who, without his induſtry, his œconomy, his ſuperiority both of abilities and reſources, ruſh into the fallacious whirlpool of credit. The latter ſcenes of his life preſent a ſhocking evidence of the ferocity of the Britiſh faction. In the fall of 1797, when Mr. Swanwick was languiſhing in ſickneſs, they endeavor-

ed, at the manifeſt hazard of his life, to ſend him to jail. It could not be alledged that he wanted to fly, or that he had committed any degree of fraud, or concealment. The attempt amounted, therefore, to a conſpiracy for legal aſſaſſination. Amidſt the *general deſertion*, as he called it, I went in ſearch of ſecurities for his appearance. Proper bail was obtained, and, in ſpite of the paper-jobbers, Mr. Swanwick died in his own bed.

From the hiſtory of the Algerine tribute it follows, that Mr. Adams had no reaſon to be ſo angry, even if the French really did aſk for a preſent of money; becauſe we are in the habit of aſſenting to ſuch demands. It is untrue, however, that the French ever did ſo. This will be proved, when we come to diſſect the deſpicable diſpatches from an embaſſy which coſt ſixty, or perhaps an hundred thouſand dollars.* Our politicians bawl out: "millions for defence, but *not a cent for tribute*." Mr. Adams adopts the ſame ſtile. In the fall of 1798, when general Smith and Mr. Winchеſter conteſted, at Baltimore, for a ſeat in congreſs, there tranſpired a ſtrange fact. General Smith had been dining with the preſident, and, in a jocular vein, gave it as his opinion that perhaps Mr. Adams had better have complied with the requiſitions of the directory. The preſident anſwered that no true American would ever agree to ſuch a propoſal; and that he himſelf "would rather fight the French "for twenty years than *give them a ſhilling*." This ſentiment was triumphantly publiſhed by the Winchеſter party, as a proof of the wiſdom and firmneſs of the preſident. A more abſurd expreſſion has never eſcaped from the lips of man. By his own account, Mr. Adams would rather ſee the continent in a blaze of flames, and a deluge of blood, than give a ſingle ſhilling againſt his will. The federal party, comprehending ſome knaves, and a great number of honeſt fools, were tranſported with the magnanimity of this reſolution. Only think of ſuch madneſs, and then reſpect the public, if you can.

On the ſcore of tribute, no delicate feelings remain to be violated. Beſides Indians, and Algerines, America pays, at this hour, a heavy tribute to England. On January 15th, 1798, an act paſt aſſigning fifty-two thouſand dollars for the diſcharge of awards under Jay's treaty† "in favor of Britiſh ſubjects, whoſe property has been captured with-

NOTES.

* *Each envoy would receive eighteen thousand. The voyages, first of Pinckney, and thereafter of the others, must likewise be added. Three secretarys at least, must be charged for, at thirteen hundred and fifty dollars per head; as also the expence of Clement Humphries, who had just before been convicted for attempting to murder Bache.*

† *As the claimant has his own way of making out these accounts, can expect little opposition from bankrupts, and none from people who are dead, a mass of overcharges has been presented. One notable claim, presented to the commissioners, is for* half a dollar, *pretended to be due by the late Mr. Tazewell. While this treaty was in discussion before the senate, Rufus King said, to Mr. Butler of South-Carolina, these very words*: "DAMN THE TREATY. *I hate it as much as you do. But "you know the footing upon which Mr. Jay and myself stand; and my "friendship for him obliges me to support it.*"

" in the juriſdiction of the United States, or by veſſels armed, or fitted " out therein." On March 19th. 1798, three hundred thouſand dollars were voted for the payment of debts ſaid to be due by Americans to Engliſh merchants. At the ſame time, England in form conſents, but in fact refuſes, to pay for her piracies on American commerce. This is tribute with a vengeance. The United States are alſo tributary to John Quincy Adams for the two firſt years of his nullity at Berlin. In fact, he can have nothing to do. The trade with Pruſſia is ſo abſolutely inſignificant that it forms not ſo much as a ſeparate article in the eſtimates annually printed.

Theſe remarks on the anſwer of Mr. Adams to the Jerſey militia have extended to a conſiderable bulk. In contradiction to what he affirms, it is eſtabliſhed that the preſent government, both in its origin and progreſs, has been, in every ſhape and ſenſe, the government of a party; and of a party that is, in many reſpects, very worthleſs.* In oppoſition to the merit aſſumed by the preſident, as a promoter of domeſtic peace, it is eſtabliſhed that his meaſures multiply domeſtic diſcord; and that the ſcandalous newſpapers printed under his influence are ſo many trumpets ſounding the charge to civil war. In addition to his inflammatory aſperſions, regarding French tribute, it is proved that the United States are tributary to the Indians, to the Algerines, and the Engliſh. The anſwer of Mr. Adams has other wild paſſages, beſides thoſe already cited. In one place, he makes an alluſion to his projected ſtrait jacket alliance with England againſt France.† But a farther inveſtigation of his anſwer would, perhaps, be tedious.

Howell, Governor of Jerſey, printed an anſwer to this far-famed addreſs from the four companies of militia. His piece provoked a reply of politeneſs equal to his own. The writer compliments him as *the prince of blackguards*. Howell had, ſometime before, ſigned an addreſs to Mr. Adams. This antagoniſt affirms that he annexed the names of officers who never heard of his production, till they ſaw it in print. Howell, in his addreſs, repreſented the whole citizens of Jerſey as faithful to the preſidential cauſe, excepting a few *deluded* and *degraded* characters. He pledged himſelf, and his friends, as ready to convey theſe outcaſts into the lines of the enemy, as ſoon as they ſhould land. But lo! at the enſuing election for congreſs, theſe wretches compoſed the majority. In the weſtern expedition, his excellency commanded the right wing. For ſome ſhameful conduct, Hamilton ſent him a ſevere reprimand, " in conſequence of which, he was treated in a manner *not* " *becoming his rank*."‡ His late alacrity in addreſſing the preſident did not obtain the object in view. He is not on the new liſt of military promotions.

NOTES.

* *All ſuch obſervations muſt be underſtood as confined to the leaders, and their immediate agents. The body of the party can have no intereſt ſeparate from their country; and are only miſtaken.*

† " *If America and any other nation ſhould have a common enemy,* " *and ſhould concert meaſures,*" &c. *The faction have long panted for ſuch a connection.*

‡ *Findley, Chap.* 18*th.*

CHAPTER IV.

Explanation of the necessity for a new census. Singular minutes of the bolted-door debates of the senate on Jay's treaty. History of the Maryland claim on the bank of England. Desertion of the demand for negroes carried off by the British. Pitt's confession of the justice of that claim. Account of the statute for preventing the sale of western lands.

INSTEAD of making so much needless noise, while in office, Mr. Adams ought to be as calm as he can be. We must admit that he is president of the Union, but we cannot forget the way in which he became so. In the mode of his election, every principle of representative government was trampled under foot. This assertion has already been explained.* I proceed to farther evidence. At the census of 1791, the number of citizens was under-rated. In Loudoun county, it is believed that the muster fell short by some thousands. In Westmoreland, one family, comprehending eighty persons, escaped notice. On a moderate computation, Virginia lost fifty or sixty thousand, in point of apparent numbers. The deficiency, in the whole sixteen states, could hardly come to less than two hundred and fifty thousand persons. From that time downwards to October, 1796, the period of the presidential election, the population must have augmented to nearly five millions.† The choice of electors rested on the old basis. Hence, one million of people, one fifth part of the whole community, were jostled out of their right of election. This was a second edition of the rotten borough parliaments of England.

Now, it must be considered, that the weight of this whole million, almost exclusively, would have rested on Jefferson's end of the balance, and hence the scale of Mr. Adams, like that of the fallen angel, must of course have *kicked the beam*.‡ This is proved by casting a glance at the list of states upon each side. Those of Mr. Adams had, in general, but a stationary population. Those which voted for Jefferson comprehended almost the whole of the unrepresented, the rotten borough million.

NOTES.

* *Supra. Chap.* I.

† *In May, 1797, Harper said that the population was "little short of six millions." This was an overcharge.*

‡ *See Milton.*

ADAMS.	
New-Hampſhire	6
Pennſylvania	1
Vermont	4
Maryland	7
Virginia	1
North-Carolina	1
Connecticut	9
Rhode-Iſland	4
Maſſachuſetts	16
New-York	12
Jerſey	7
Delaware	3
	71

JEFFERSON.	
Pennſylvania	14
Maryland	4
Virginia	20
North-Carolina	11
South-Carolina	8
Georgia	4
Kentucky	4
Tenneſſee	3
	68

In the Adamite liſt, New-York and Vermont are the only ſtates of which the population is materially augmenting; and in them, if the electors had been choſen by diſtricts, one half of the votes would have been for Mr. Jefferſon. Georgia and Tenneſſee were entitled, by their population, to chuſe at leaſt twice as many electors as Rhode-Iſland, and Delaware; and yet the two latter gave one vote more than the former. Again Kentucky was, then, within about as populous as Connecticut. The former had only four votes, while the latter had nine. Kentucky, at the very loweſt, ought to have had nine electors. After all the blunders on the Jefferſon ſide, and all the artifices on that of the ſtock-jobbers, this ſingle act of juſtice to Kentucky would have ſecured the election to Jefferſon. His ſixty-eight would have ariſen to ſeventy-three.

Virginia and North-Carolina ought, between them, to have had ſeven, or eight additional electors; and South-Carolina, and Pennſylvania, about as many more. Theſe eſtimates do not pretend to ſtrict accuracy. But yet they are, at fartheſt, within a fourth part of it. In ſhort, it is ſufficiently aſcertained that, if the election had been conducted on the honeſt ground of numbers preſcribed by the conſtitution, then the republican candidate muſt have ſucceeded by a majority conſiſting of, at leaſt, twenty votes.

All this goes on the ſuppoſition that the election had been managed, in each ſtate, preciſely in the way in which it actually was conducted. But the whole buſineſs lies open to a ſtill more blaſting objection, and which affects both parties. One half of the people were *debarred from voting*.

It muſt be remembered that, out of the ſixteen ſtates, *only* eight or ten *had a ſhare in the election of Mr. Adams*. Six* were trepanned out of their right of ſuffrage by the audacious uſurpation of their legiſlative aſſemblies. A ſeventh ſtate, Maſſachuſetts, followed a plan that left much room for the interference of its legiſlature. Hence, upon ſtrict repreſentative principles, if the election of Mr. Jefferſon had been

NOTE.

* *Or eight. Vid. above, Chap.* 1.

carried, it would have been a nullity. As for the point of *legality*, the conſtitution has a ſhade of ambiguity, though but a ſlight one; and this gave room for the fraudulent intruſion of aſſemblies in the choice of electors. No cenſure can be caſt on Mr. Adams, for the artifices uſed by his friends, or for his acceptance of the preſidency. By the imperfection of the conſtitution, and by the negligence of congreſs, an expreſs mode of explaining the conſtitution, and of appointing electors, had not been aſcertained by ſtatute; nor was the ſmalleſt way marked out for the detection of forged ſuffrages. In almoſt any country but America, the national tranquility would have broke its neck, in ſtumbling through ſuch unfathomable chaſms. That theſe pit-falls were left open is equally to the reproach of all parties in congreſs. If the diſappointed party had deſerved one half of the hard names that have ſince been accumulated upon them, the promotion of Mr. Adams would have been recorded in *duſt* and *aſhes*. One eſcape has been made; but it muſt be the height of raſhneſs to hazard another. In the ſeſſion of May, 1797, Dr. William Smith gave in to the repreſentatives a reſolution for altering the mode of voting for preſident, and vice preſident, by diſtinctly naming the candidates deſigned for each office. He conceited that if this method had been purſued in 1796, Thomas Pinckney would have been appointed to the vice preſidency, the only circumſtance that was wanting to complete the folly, and cataſtrophe, of that election.

Even by the exceptionable principles upon which the buſineſs ſet out, Mr. Jefferſon muſt have been preſident, if theſe principles had been obſerved. They were broken down by direct fraud. If the election had been made by diſtricts, he would, probably, have loſt ſeveral votes in Pennſylvania, and South-Carolina. In Jerſey, and New-York, it ſeems, from the late election for congreſs, that he muſt have had a majority, and in Vermont, either one or two votes out of the whole four.

At the laſt election, at leaſt a million of people were juggled out of their ſuffrages; and unleſs a new cenſus ſhall be taken before the next one, about two millions of perſons will be ſhut out of all weight in the choice, There is an abſolute neceſſity for a ſecond cenſus, previous to the next election for preſident, or of the ſeventh congreſs. This truth ought to be moſt forcibly impreſſed on the mind of every man, who has the ſmalleſt regard for the principles of repreſentative government, for the indefeaſible rights of the people, for the political freedom, or the domeſtic peace of America. Certainly, two millions of people will not ſubmit to be told that congreſs had not time to paſs a law for a new cenſus. The conſtitution ſays that a freſh enumeration ſhall be taken "within every ſubſequent term of ten years, in ſuch manner as con-"greſs ſhall direct." The preſent adminiſtration will ſtrain every nerve to put off this enumeration as long as poſſible. For a candid cenſus, and an equal repreſentation, will terminate the ſupremacy of New-England, and the degradation of the ſouthern ſtates. Of the additional two millions of citizens, almoſt the whole weight muſt fall into the republican ſcale. A ſhort review of the actual population will aſcertain this intereſting circumſtance.

The ſtrength of the American ariſtocracy is principally lodged in the four eaſtern ſtates. Of theſe New-Hampſhire is the only one that has a chance for conſiderable increaſe, before the next enumeration. The

Vermonteſe have augmented much faſter than the people of New-Hampſhire. At the next preſidential election, in the fall of 1800, they will probably amount to two hundred thouſand. This muſt entitle them to eight electors for preſident inſtead of their preſent four, and to ſix repreſentatives in congreſs, in place of their preſent two. This is the only ſtate in the union, perhaps, where the republicans will not gain to their own ſide the total addition of electors, and of repreſentatives; and whatever is the reſult, the Vermonteſe will not, aſſuredly, ſubmit to be repreſented by *two* members inſtead of *ſix*. This would be a perfect mockery of legiſlation.

New-York has, within the laſt ſix years, received an immenſe multitude of people from New-England. In 1800, that ſtate will have ſix hundred thouſand citizens, or thereby. Inſtead of twelve preſidential ſuffrages, it ſhould, on that ground, have twenty, and, in congreſs, *eighteen* repreſentatives in place of the preſent *ten*. The election for the ſixth congreſs, ſhews that the majority of republicans is great, notwithſtanding the influence of the pardoned traitors in the city of New-York, and of ſome overgrown landholders in the ſtate. At the laſt election, Mr. Jefferſon had not one vote north of the Delaware. At the next, a new cenſus, and an election by diſtricts, muſt give him twenty, or upwards. In Pennſylvania, the aſcendancy of the republicans muſt, in any caſe, be very conſiderable. It is to be hoped that at the next election, the votes from Greene county will arrive in due time; and that ſome new ſtatute will teach the Lancaſtrian judges a ſenſe of decency. On the north of the Patowmac, we have likewiſe Maryland, which is about equally divided between the two parties. The admirers of the ſix per cent ſyſtem in that ſtate are requeſted to attend to the two following anecdotes. They are at once authentic, and deciſive.

In June, 1795, the ſenate of congreſs locked their doors to debate on the ratification of the Britiſh treaty. In diſcuſſing the article for the recovery of Britiſh debts, Mr. Jackſon enquired of Mr. Potts of Maryland, in what condition the claim of that ſtate upon England then ſtood, and whether any ſecurity for it was expected by the paper on the table? Mr. Potts gave the following account. Before the war, Maryland had lodged in the bank of England forty thouſand pounds ſterling. In June, 1795, that ſum, with the intereſt due upon it, amounted to about one hundred thouſand pounds. Since the peace, Maryland ſent an agent to receive this money. The lord chancellor had directed the caſh to be paid into his own office: and refuſed to refund it. He ordered that the attorney general ſhould be made a party to oppoſe, on behalf of the crown, the reſtoration of theſe hundred thouſand pounds. Mr. Potts ſaid that this had been done, and that, accordingly, the money remained unpaid. He ſubjoined that Jay's treaty made no proviſion for the recovery of this ſum. It ſhould have been provided for in the treaty of 1783. Meſſrs. Potts and Henry agreed to ratify that of Jay, without paying the ſmalleſt attention to the intereſt of their conſtituents. Mr. Henry had, for many days, been ſick. When the vote came to be taken, he was conveyed to the ſenate chamber in a chair. He ſat with pain. He could only juſt give his vote, and feal the diſgrace of his country. The citizens of Maryland muſt view, in its proper light, this ſhameful deſertion of their concerns. Theſe hundred thouſand pounds ſterling afforded the

beſt materials for an additional clauſe. They deſerved as well a ſpecial meſſage to England, as the twelfth article. This omiſſion ſhews how deeply George Waſhington intereſted himſelf in the welfare of Maryland. The aſſembly might, at this day, have been lending that money, at an intereſt of ſeven and an half per cent, to the commiſſioners for the federal city, with a premium of twenty-five per cent on the principal ſum. They might have cleared the channels of the Potowmac, and the Suſquehanna. They might have founded free ſchools, formed high roads, or cut a canal from Newcaſtle to Frenchtown. They might have lent this money to the flour merchants of Philadelphia, or Baltimore, at ſeventy-two per cent, per annum, paid monthly; and the principal would have doubled itſelf in four hundred days. All theſe glorious poſſibilities are nipped in the bud, by the utter contempt in which the ſtate of Maryland has been held by its two ſenators, and by Mr. Waſhington.

This final ſurrender of the hundred thouſand pounds ſterling, is not the only reaſon why Maryland ſhould abhor the general policy of the Waſhington faction. The treaty of 1783, provides that George Guelph "ſhall, without cauſing any deſtruction, or *carrying away any negroes*, "or other property of the American inhabitants, withdraw his armies," &c. During the debate of the repreſentatives on Jay's treaty, there was much haggling about the meaning of this ſtipulation. Mr. Hillhouſe attempted to prove that the Britiſh were left at liberty to take off every black perſon, who was within their lines at the date of ſigning the treaty. But this would reduce the ſtipulation to mere jargon. Either the clauſe had no meaning, or it meant that the negroes were to be delivered up to their maſters. Hillhouſe ſays that, by this article, the Britiſh were only prohibited from taking away negroes who might have been ſeized from the Americans, after the period, when preliminaries of peace were ſigned. But the fact is that the treaty has not a ſingle ſentence, nor even a hint, of any ſuch exception, or diſtinction. The plain ſignification of the words is, that *no negroes were to be sent out of the country after the news of peace arrived at New-York.* On April 16th, 1796, Mr. Nicholas informed congreſs that this clauſe about the negroes was inſerted at the inſtance of Mr. Laurens. His reaſon was that unleſs this proviſion ſhould be made, numbers of Americans would not be able to pay the debts which they owed to Britiſh merchants.

Mr. Nicholas quoted this anecdote from information that Mr. Adams, gave to the ſenate, when they diſcuſſed the acceptance of Jay's bargain. Mr. Adams farther ſubjoined that, when he was afterwards ambaſſador at London, "this conſtruction *never was denied.*"* But to place the matter beyond all doubt, and to convince the tories of Maryland how baſely their intereſt was betrayed by the deſertion of this point, I ſhall here copy the ſpeech of Mr. Adams, from the the manuſcript notes of a ſenator, who heard him deliver it; but I begin with ſome remarks that were previouſly made, and by which he was induced to ſpeak. The ſixth article of the treaty was then under conſideration. Mr. Tazewell had objected to the ſtipulation for payment of Britiſh debts, unleſs accompanied with compenſation for negroes.

NOTE.

* *Bache's debates, vol. 2d, p. 71.*

Mr. Strong anſwered that, after Britain had promiſed to free the negroes, it would have been infamous in her to give them back. "To make compenſation," ſaid he, "would be acknowledging that ſhe "did not *intend* to deliver them. In whatever way conſidered, our con- "ſtruction muſt attach *perfidy* to the Britiſh. Therefore Mr. Strong "could not believe that they conſidered this ſtipulation as we do. They "will adhere to this meaning. Mr. Jay having, in his report to con- "greſs, ſupported the American interpretation of this article, was par- "ticularly bound to maintain this conſtruction. But it would have been "improper to have preſſed it beyond a certain point, becauſe, whenever "he brought it forward to the view of the Britiſh miniſtry, it was *re- "proaching them with perfidy*."

Theſe arguments are very lame. If the Britiſh freed ſlaves who did not belong to them, and whom their own agreement forbade them to carry off, they were as juſtly bound to ſatisfy the original maſters, as for an equal number of ſtolen horſes, By Mr. Strong's rule, a man may ſet his neighbour's horſe at liberty. In that caſe, the real proprietor muſt not inſiſt on reſtoration of the animal, or of payment for the loſs of him; becauſe this would be to *reproach the robber with perfidy*. For the ſame reaſon, Mr. Jay ought not *to have preſſed, beyond a certain point*, for the recovery of the value of American veſſels and cargoes, for fear of wounding the delicacy of Engliſh nerves. When Mr. Strong was to utter ſuch folly, he judged wiſely in wanting to keep the doors bolted.

Mr. Gunn ſpoke next. He went as far beyond the mark as Mr. Strong fell ſhort of it. He contended that this article extended to the negroes who had been previouſly carried away by the Britiſh, and ſold in the Weſt-Indies. The word *ſhall* debars this interpretation. Mr. Gunn called on Mr. Adams for an explanation. *Obſerve his anſwer.*—"This article was only underſtood and intended by the "negociators at Paris, as extending to thoſe negroes who were, at that "time, in poſſeſſion of the Britiſh. Mr. Adams has had frequent con- "verſations with the Marquis of Caermarthen, with Mr. Pitt, and other "miniſters of Britain; and they all admitted that, by this article, *they "were bound to deliver up the negroes;* and Mr. Pitt obſerved that, if "other things could be accommodated, they muſt contrive, in ſome "way, *to pay for them.*"

This explanation, from ſuch a ſuperior ſource, extinguiſhes all doubt as to the true intention of the treaty. The intereſt of Maryland, and of the other ſouthern ſtates, was notoriouſly ſacrificed on the Britiſh altar. With one hand, Jay gives up the juſt claims of a thouſand ruined farmers upon England, for the recovery of their ſlaves. With the other hand, he obliges the federal government to pay to Engliſh merchants the debts which they claimed from theſe ruined farmers; and which are now eſtimated at fifty or an hundred millions of dollars. It was natural for Rufus King to damn ſuch a treaty. For, though a man may act as he pleaſes, yet he cannot *think* as he pleaſes. His judgement, in ſpite of himſelf, will ſometimes condemn his actions; and this condemning judgment, this colliſion of practice and theory, this inviſible jury, impannelled in a man's own breaſt, is what we call *conſcience*. Rufus King muſt have been ſenſible that the aſſembly of New-York did not ſend him to con-

greſs to ſupport his friendſhip with Jay, but to act for his country; and therefore, when he voted for the treaty, and damned it, the jury in his own kidneys damned him.

Mr. Ellſworth did not pretend to vindicate Jay's deſertion. But he urged, as a mollifying circumſtance, that thoſe ſtates which ſuffered moſt by the loſs of ſlaves, were likewiſe to have the Britiſh debts of their bankrupts diſcharged by the whole union. This was but poor conſolation. Put the caſe that a planter on the Patowmac had loſt ten ſlaves, worth three thouſand dollars. In conſequence, he goes to jail, and his children to beggary. But then he muſt not complain, for an Engliſh merchant, whom he never heard of, is to recover from the federal treaſury three thouſand dollars, that this foreigner claimed from a bankrupt in Georgia.

Here is another fragment of theſe clandeſtine debates on Jay's capitulation. Mr. Vining did not think that this matter of the negroes was very important. It would have been fortunate for America, if all the negroes had *run away from us*. He admitted that Jay had not, in this tranſaction, behaved conſiſtently with his former opinion. He condemned the conceſſion, but was willing to make ſuch a ſacrifice.

In 1783, Mr. Hamilton preſented to congreſs a reſolution declaring that this abſtraction of negroes broke the treaty of peace. In ſhort, both here, and in England, only one opinion exiſted on that head, among all parties, until it became neceſſary to vindicate Jay. The value, or even the number of the negroes, that were ſhipped off at New-York, has not been aſcertained. As ſoon as news of the peace arrived, theſe people went off in vaſt numbers. Complaints of this infraction were inſtantly made to Carleton. He ſaid that he could not prevent their departure; but he deſired that commiſſioners might be ſent to keep a regiſter of their numbers. This was done, and, from their arrival, till the day when New-York was finally quitted, a liſt of near three thouſand was made out. On the laſt day, that form was neglected. Multitudes had, alſo, been ſuffered to get off without the knowledge of the commiſſioners, beſides thoſe who failed before their appointment.* Upon the whole, it ſeems probable that ten thouſand might be carried away. Of theſe, a large proportion muſt have been able bodied men. At this time, one of the beſt Virginian ſlaves, if a tradeſman, can be ſold for a thouſand dollars. Compute that, of thoſe at New-York, five thouſand were worth four hundred dollars each, and eſtimate the remainder at half that ſum. At the medium of three hundred dollars for each of the ten thouſand, the collected maſs was worth three millions of dollars. Suppoſe that this capital ſtock had yielded a compound intereſt of ten per cent, a year. The fourteen years from Jan. 1ſt, 1783, to Jan. 1ſt, 1797, would have twice doubled the amount of the original value. A clear profit of ten per cent makes but a very moderate calculation. In 1797, therefore, the ſtock and produce of theſe ſlaves may juſtly be conjectured as equal to twelve millions of dollars. This would produce a quota of three dollars per head to every white perſon in the United States. It would defray the expence of forming two thouſand five hundred miles of ſuch

NOTE.

* *See Printed Correſpondence between Jefferſon and Hammond.*

high roads, as that lately cut between Lancaſter, and Philadelphia. By this improvement, the lives of many hundreds, or perhaps thouſands, of valuable horſes would be annually preſerved, along with a conſiderable number of limbs, which are annually diſlocated, or broken, by the overturning of ſtage coaches. A clear profit of a million of dollars might be expected, as the toll dues from ſuch an adventure. Of this ſum of twelve millions, an eighth part, or fifteen hundred thouſand dollars, would perhaps fall to the ſhare of Maryland. By the exportation of theſe ſlaves, Maryland is probably poorer than it otherwiſe might have been, to the amount of fifteen hundred thouſand dollars.

Again, ſuppoſe that the forty thouſand pounds ſterling lodged by Maryland in the bank of England had been paid back on January 1ſt, 1785, with ten years of intereſt, at five per cent. The whole would then have come to ſixty thouſand pounds ſterling. From January 1ſt, 1785, to January 1ſt, 1799, fourteen years elapſe, and, at ten per cent of compound intereſt, the ſixty thouſand pounds would riſe to two hundred and forty thouſand pounds ſterling. Even this latter ſum is far below the actual loſs to Maryland; becauſe with a few rare exceptions, no perſon in America would engage to ſink a ſum, for a fixed period of fourteen years, at ſo ſmall an intereſt as ten per cent. Land is, upon the whole, ſo cheap and plenty, and the augmentation of its value is ſo very rapid, that a monied man would commonly find it more advantageous to ſecure his capital in the purchaſe of a farm. Theſe particulars are mentioned merely to remind the reader of what he well knows already, that the eſtimate of ten per cent. is not an exaggeration. Fifteen hundred thouſand dollars, or even two hundred and forty thouſand pounds ſterling, is a ſum of conſiderable conſequence. At this day, Maryland would feel the advantage of two ſuch additions to her wealth. If the ten thouſand ſlaves of New-York, and the forty thouſand pounds in the bank of England, had belonged to Maſſachuſetts, or Connecticut, Jay muſt either have ſecured indemnification, or his treaty would have gone to the bottom. But, with the exception of perhaps a few negroes, the loſs in both caſes fell entirely upon the ſouthern ſtates. To ſome people, this feature would rather augment than diminiſh the merits of the compact; for, to check the wealth and population of this part of the union, has always been a favorite object with the oriental ariſtocracy. After ſuch marked neglect from the federal government, a numerous body of the citizens of Maryland retain a violent affection for the preſent ſyſtem. Some years ſince Mr. Henry was elected governor of that ſtate. At an entertainment which followed, he ſpoke in reſpectful terms of Mr. Jefferſon. A previous diſcovery of ſuch ſentiments would, moſt likely, have prevented his election. Maryland has a conſiderable body of Roman Catholicks. Some time ago, the Spaniſh ambaſſador's intended bride embraced that religion. For this crime, Robert Liſton's gazette attacked her in a way that would have diſguſted any body of people, except our own.

Virginia was, by the laſt cenſus, entitled to nineteen repreſentatives. At the diſtance of ten years, in 1800, we cannot ſuppoſe them fewer than a million, with a right to twenty-four repreſentatives. The two Carolinas ought, alſo, to receive a conſiderable augmentation. But Georgia, Tenneſſee, and Kentucky, would ſuffer the moſt extreme in-

juſtice by the election of a new preſident, without an intervening cenſus. Georgia, with only two repreſentatives, is about as populous as New-Hampſhire that ſends four. In 1800, Kentucky can ſcarcely have leſs than three hundred and fifty thouſand inhabitants, with but a ſmall proportion of blacks. Yet in place of ten or twelve votes, in the preſidential election, ſhe will have only four, unleſs the ſyſtem ſhall be purified by a new enumeration. A ſhort account of Tenneſſee lately printed ſays that, in 1775, the Holſton ſettlement contained hardly two thouſand people. The reſt of the ſtate was a wilderneſs. In 1795, Tenneſſee had ſeventy-ſeven thouſand two hundred and ſixty-two inhabitants. Of theſe, ſixty-ſix thouſand, ſix hundred and ſeventy-ſix were whites.* In conſequence of this enumeration, Tenneſſee was permitted to ſend two ſenators and one repreſentative to congreſs. The amount of population gave Tenneſſee a title to two repreſentatives. But, the cenſus of 1791 being the rule for other ſtates, it was thought improper to diſtinguiſh Tenneſſee by adopting the numbers of a later date.

At this time, that territory muſt contain at leaſt two hundred thouſand people. The conſtitution ſays that a new cenſus ſhall be made within every ſubſequent term of *ten* years. But when a ſtate is doubling its numbers in five or ſix years, that rule is unfit for the purpoſe of equitable government. This was clearly proved, by the direct tax of July 14th, 1798. Rhode-Iſland has not, at the utmoſt, above two fifths of the population of Tenneſſee, making the fair allowance for the blacks at five, for three citizens. Yet Rhode-Iſland pays thirty-ſeven thouſand five hundred dollars, while Tenneſſee is only rated at eighteen thouſand eight hundred. Inſtead of this proportion, Rhode-Iſland ſhould pay but eighteen thouſand dollars, and Tenneſſee not leſs than forty-five thouſand. Again, Kentucky is rated for thirty-ſeven thouſand, ſix hundred and forty-three dollars, and New-Hampſhire, a ſtate by far leſs populous and wealthy, at ſeventy-ſeven thouſand ſeven hundred and five dollars. Delaware is taxed for thirty thouſand, four hundred and thirty dollars, and Vermont, with thrice its population, at only forty-ſix thouſand eight hundred and ſixty-four dollars. Georgia, with three or four times more than the population of Delaware, and an hundred and fifty times more of real wealth and reſources, ſtands only for thirty-eight thouſand eight hundred and fourteen dollars. The people of New-England pay dearly for the diſtinction that they enjoy of ſending a diſproportionate number of repreſentatives to congreſs. If the ſouthern ſtates had been fairly repreſented, Mr. Jefferſon would have

NOTE.

* Males - - - - 36,123
Females - - - 29,555

Majority of Males - - - 6,568

been chosen president,* and all this bustle and expence, with armies, and navies, with French wars, and direct taxes, would never have been heard of. In every point of view, the general interest of the union, and the welfare of each particular state, jointly call for a new enumeration of the people, and for an equal representation of every state. The original and honest principles of the federal constitution, the practical experience, and existing circumstances of the country, all, and equally, demand an immediate census.

On June 13th, 1798, the New-England party gave a brilliant proof of their attention to the interest of their constituents. They past a law prohibiting all intercourse with France. This has put an end to their own beloved cod-fishery. For the season of 1798, England supplied herself; and it was unlawful for Americans to supply the French. In November, 1798, the New-England codfish were sold in Virginia for three dollars per quintal. Formerly, they drew seven or eight dollars. In November, 1798, tobacco was sold in Alexandria for six dollars and an half per hundred weight. In France, it would have brought fifty dollars; and yet we durst not send it there, on account of the non-intercourse law. The true object of that law was partly to provoke the directory to declare war against the United States, and to starve the French West-Indies. Besides, the British had begun with more than former vigour to destroy our trade with France. Mr. Liston had expressed his fears that the violence of Cochrane would altogether alienate the American mind from England. It was understood in congress that the grand object of this act was, to prevent these depredations, by putting an end to the intercourse itself; in a word, to prevent the theft of the golden eggs by killing the hen that laid them. The object of starving the French islands has failed, and English piracies continue. The protection of commerce would have dictated an equal exclusion of trade with England; for, during this whole space of time, the British cruisers have been seizing our ships by dozens. By the third section of that profound statute, no merchant vessel of France, *even unarmed*, durst enter the ports of America, unless from stress of weather, from want of provisions, or, by a special passport from the president. Thus, if a French captain, with an hundred thousand dollars in his cabin, had come to Boston, or Baltimore, to buy fish, or tobacco, and to carry them off at *his own risk*, his vessel was liable to be seized. The mind is fatigued in attempting to follow the labyrinths of such inexplicable madness. The seal of monarchy is, also, engraved on this law; for the president may, during the recess of congress, either suspend or dissolve it. Formerly, New-England had a large share of the carrying

NOTE.

* *Even in New-England, the republicans, though a minority, are yet numerous. The Boston Chronicle of Nov.* 15, 1798, *says that at the election for congress the votes were*

Otis	2,126
Heath	1,704
Majority only	209

There must be some mistake in the figures.

trade of tobacco from the ſouthern ſtates to the Britiſh dominions. In conſequence of Jay's treaty, New-England has loſt the greater part of it.

By a law, dated July 16th, 1798, Mr. Adams is empowered to borrow five millions of dollars, "upon ſuch terms and conditions, as he "ſhall judge moſt advantageous;" that is to ſay, at any intereſt, however extravagant, for which he can get them. This grant goes quite up to the worſt part of the practice of England. But in that country, a miniſter muſt always apologiſe for his bargain to parliament, where it undergoes a rigid diſcuſſion. This looks ſomething like liberty, in place of which the preſent law holds out the mere nakedneſs of deſpotiſm. The only check upon the preſident is that he ſhall not, by any contract, preclude the United States from reimburſing this loan, "at "any time, after the expiration of *fifteen years* from the date of it." —Theſe words are mere expletives. Under ſuch management as that which prevails, at this time, and with the addition of a French war, it is impoſſible, that at the end even of three years, America ſhall be able to borrow, or to pay one ſhilling.

For diſcharging the intereſt of this loan, the act aſſigns the ſurplus of the duties on imports and tonnage. An aſſignment on the tonnage of the moon would be as much to the purpoſe; for the French rupture, contemplated under this loan, will moſt infallibly deſtroy three-fourths of that fund; but more probably fifteen parts out of ſixteen. The law further pledges *the faith of the United States*. Faith may remove mountains; but it has never been able to pay debts. Money is at preſent more difficult to be borrowed in America than in perhaps any civilized country of the world. The way to get it propoſed by the ariſtocrats, at the paſſing of this law, was to create ſtock, and ſell it in the market for whatever it would bring. In other words, they were to frame bonds upon government for perhaps eight *nominal* millions of dollars, and to ſell them in the market for five millions of *hard* dollars. They were then to pay the intereſt of the whole eight or nine millions. At refunding the principal ſum, the odd three millions, the difference between the ſum really granted, and that nominally received, were likewiſe to be diſburſed from the treaſury. This bears ſome analogy to the Maryland compacts already explained for aſſiſting the building of the federal city. The loan at eight per cent. is deſperate enough, although not quite ſo bad. A man muſt be loſt to all knowledge of arithmetic, to all common reaſon, to every faculty that diſtinguiſhes a rational being from a beaſt, if he does not perceive the temerity of this ſyſtem, and the immediate deſtruction to which it muſt conſign public credit. The next ſtatute in the book is a ſuſpenſion of the ſnuff exciſe. Congreſs ought at once to repeal this abortive tax, this horrible engine of oppreſſion, this monument of the profound ignorance of Hamilton, William Smith, and Sedgwick.

Another law of July 16th, grants power to the preſident to borrow two millions of dollars, "upon the credit, and in anticipation of the "direct tax;—which is hereby pledged for the repayment." On this new loan the intereſt is reſtricted to ſix per cent. But congreſs had juſt granted unlimited powers as to the intereſt for the five millions; and hence, this reſtriction, as to the two millions, reſolves into an evident

juggle. In both cafes, the money will be raifed at an exorbitant intereft, and premium, if it can be raifed upon any terms whatever. If both fums were, like Jupiter, to defcend in a fhower, they could not defray the fixth, or perhaps the twentieth part of the charges of our firft French campaign. With fuch refources, we continue, in the ftile of a cinder wench, to "hurl defiance"* againft the Romans of modern Europe. We fhould beware of plucking the Lion's whifkers, becaufe his mouth happens now to be full.

At the commencement of the new government, when Mr. Waſhington was elected, Hamilton and fome of his tribe, without afking leave of congrefs, did, by their own authority, expend about thirteen thoufand fix hundred dollars of public money, in purchafing furniture for the prefident's houfe, and liquors for his cellar. The junto might have waited for legiflative confent. They knew that the majority of the firft congrefs were fufficiently contemptible to have voted, with chearfulnefs, for any fum, that avarice and fycophancy could afk. The amount was huddled into a fubfequent appropriation bill. It has been already explained, in the cafe of the Crefcent,† that thefe *anticipations* of public money ſtrike in the very face of the conſtitution, and of courfe, that they make the moſt violent approaches to theft and perjury. When, for the punifhment of our fins, Mr. Adams had been elected, the fame fcene of plunder was acted a fecond time. On March 2d. 1797, a law paft for felling fuch articles of the prefident's furniture "*as may be decayed*, out of repair, and unfit for ufe." The proceeds, and fo much of a fum not exceeding fourteen thoufand dollars, as Mr. Adams may think neceffary, are to be laid out in the purchafe of *new* furniture.

There is no doubt that the prefident has received every cent of this fum. Whether two thoufand dollars might be expended, on new furniture, or whether the whole cafh went plump into his pocket, nobody can think worth enquiring. The falary, by itfelf, is three times larger than it ought to be, efpecially under a government fo ſtraitened for money as ours. During the fame feffion an infamous attempt was made for augmenting this bloated, this oppreffive, and ufelefs penfion, to thirty-two thoufand dollars. The fourteen thoufand dollars for bedſteads, and water-pots, paft with uncommon unanimity, while congrefs, during that very feffion, refufed a multitude of the moſt cogent claims for military compenſation. One of the majority had formerly made fome buſtle about financial œconomy. I afked him how he came to vote for fuch a propofal? He faid that, as the fame allowance had been made to Waſhington, the republicans conſidered that, if they refufed to grant as much to Mr. Adams, it might be conſtrued into perſonal picque. Thus you fee that the fyſtem of plunder is completely rounded. Whatever has been done may be done again. The future robberies are juſtified by the paſt.

The hiſtory of 1796 contains an account of the expedition of the Tenneſſee militia, in 1794, againſt Nickajack, and of the refufal, by

NOTES.

* *Milton.*

† *Supra. Chap.* 3.

the ſecretary at war, to pay their wages. Theſe men did as much effective ſervice to the frontier, in one night, as the continental army performed in the firſt three or four years of its operations. Wayne's troops received the thanks of congreſs for their victory. The militia received reproach. At laſt, after above three years and an half, on May 8th, 1798, a law paſſed for ſettling their accounts, out of any monies "not "*otherwise* appropriated." Perhaps the money hath ſince been paid; but the chance is equal that it will be detained for ſome years longer.

By various manœuvres, large bodies of back land have come into the poſſeſſion of individuals. Theſe perſons wiſh to ſell them as dearly as they can. To promote this object, they muſt, if poſſible, keep other back lands out of the market, to prevent the competition of ſale. An individual cannot be cenſured for attempting to ſerve his own intereſt with the greateſt attention, providing that there is no villainy, or breach of truſt. But when a monopoliſt of land becomes a member of congreſs, he ſwears to act for the public *exclusively;* and to ſuffer his own intereſt to come before his duty to the public is flagrant diſhoneſty. He is no longer a private individual, thruſting himſelf forward in the general ſcramble for property. He has pledged himſelf to his country that he will act for its behalf, and on this ground it is that he is permitted to receive national money, and to aſſiſt in the inſtitution of national laws. If the ſlighteſt taint of ſelfiſhneſs intervenes, he is the clerk debauching his maſter's wife, and robbing his till.

Theſe remarks point out the material diſtinction between a common trader in the old continental certificates, and that deteſted gang of wretches, who firſt crammed their portmanteaus with this paper, and then paſſed a law for funding the whole pile at twenty ſhillings in the pound.

Adams and Waſhington have ſince been ſhaping a ſeries of theſe paper-jobbers into Judges and Ambaſſadors. As their whole courage lies in want of ſhame, theſe poltroons, without riſking a manly and intelligible defence of their own meaſures, raiſe an affected yelp againſt the corruption of the French directory; as if any corruption could be more venal, more notorious, more execrated than their own. For years together, the United States reſounded with curſes againſt them, while the grand lama of Federal adoration, the immaculate divinity of Mount Vernon, approved of and ſubſcribed every one of their blackeſt meaſures. Citizens of Virginia! *When will ye begin to think?*

The ſhouting about French bribery, is juſt like that of a knot of ſharpers, at the door of a London playhouſe, when they firſt huſtle the paſſenger, and then cry *ſtop thief!* It is not ſurprizing that Tench Coxe, and colonel Monroe, could not aſſociate with ſuch company.

Land-jobbing has been mentioned. This calls to mind an act of congreſs, of May 18th, 1796. The title ſays that it provides for the ſale of lands, "in the territory north weſt of the river Ohio, and above the "mouth of Kentucky river." This law has never met with ſo much attention as it deſerved. Our preſent object is to form a ſummary of its principal heads, and to diſcover the genuine deſign of thoſe who made it. We begin with ſome introductory obſervations.

In one of his ſpeeches to congreſs, Mr. Adams ſays that "commerce "has made this country what *it is.*" He was never farther miſtaken

than in this assertion. Commerce has been of considerable advantage to the United States; but their prosperity is derived from agriculture, from their crops, and their cattle. Without these, their foreign trade never could have had a beginning, and *to* these it continues to be a secondary, and very inferior object. To commerce we are obliged for many of the amusements, of the luxuries, the elegancies, and even of the conveniencies of life. But the whole catalogue of necessaries, and by far the greater part of our conveniencies, are derived from the resources of the soil. Without foreign trade, this country may be very happy. Without agriculture, there is an end not merely to happiness, but existence. Put the case that the federal territory, like Sindab's valley of diamonds,* could be suddenly surrounded with an impassable rampart; and forever secluded from the rest of the world. A number of importing merchants would immediately be cast idle. A few manufactures would rise to an exorbitant price. Discounts at the banks would cease. A director, such as William Smith, could no longer take up sixty or an hundred thousand dollars worth of paper at six per cent. per annum, and lend it out again at six per cent. per month. All these people would immediately, in the loss of their own petty profit, perceive the destruction of the country.

In the mean while, we should have the greatest abundance of animal and vegetable food for all those willing to work, or able to pay for it. We should have plenty of wool, flax and cotton, and of silk also, if we chose to breed worms. The bosom of the earth would supply us with minerals, and its surface with timber. All the necessary manufactures, which are now imported, would soon be fabricated. The merchants would go from jail to the plow, and even a banker would learn to be of some *productive* use. America would continue to be *what she is;* for she would still possess the greatest and most inexhaustible sources of all the necessaries, and of all the substantial enjoyments of life. Tea is, perhaps, the only article that some of us would regret the want of.

The object with Mr. Adams was to recommend a French war, professedly for the sake of supporting American commerce, but, in reality, for the sake of yoking us into an alliance with the British tyrant. To defeat this dreadful sophistry, his position has here received an answer that the grossness of its folly did not deserve. The answer is also connected with the motives which produced that statute pretendedly for promoting, but in fact for *preventing* the sale of Western lands. The aristocracy wish to confine the people, as much as they can, to the Atlantic shore. Mr. Adams has often expressed the utmost solicitude to that effect. In both houses of congress, it is understood, as his opinion, that, if nothing less will answer the end, the western people should be restrained by the standing army from settling upon the new lands. His Tennessee performances correspond with such a system. By this compression of settlements, the ascendancy of New-England, the monopoly of land by a few principal jobbers, and *the facility of collecting taxes*, are all meant to be preserved.

NOTE.

* *Vid. The Arabian Tales.*

With this explanation, we proceed to the act in queſtion.—The lands are directed to be laid out in townſhips of ſix miles ſquare. Theſe again are to be divided into ſections, each containing one ſquare mile, or ſix hundred and forty acres. In new countries, propinquity and compactneſs are of immenſe advantage. Congreſs reſerve, for future diſpoſal, the four centrical ſquares in each townſhip; as alſo the Salt-Springs which are, or may be diſcovered, with the ſection of one ſquare mile, wherein they riſe.

Theſe reſervations form an important drawback on the value of the lots thus offered for ſale. But that is nothing to what follows. The lands are to be put up at public vendue, at certain times and places, particularly mentioned; but none of them are to be diſpoſed of at leſs than *two* dollars per acre. The price is too high. Many large tracts are, moſt likely, not worth ſix-pence. All the reſt differ in their value; and ſome are ſaid to be worth ten dollars. Since that law was made, the value of back lands hath ſunk very conſiderably; probably not leſs than one half of their price, three years ago. Even at that time, the two dollars were too much for an *upſet* price, if an effective ſale was deſired. A full range was, likewiſe, left for overbidding; ſo that the man of capital could eaſily raiſe the lots to the utmoſt which they were worth. So dangerous a competition tended to diſcourage the purchaſer upon a ſmall ſcale, and to caſt him back upon the lands already held by Jonathan Dayton, and other great proprietors. Undoubtedly, this was the very point aimed at, by thoſe who ſaw through the drift of the ſtatute.

This was the caſe in 1796. But in 1799, the upſet price correſponds with an abſolute prohibition. If congreſs have the leaſt inclination to ſell theſe lands, they will inſtantly offer them at half a dollar. If the two dollars of 1796 had held out an extraordinary advantage, a progreſs would have been made in the vendue. The monopoliſts themſelves would have forced it forward. But as very little or perhaps no progreſs has been made, this of itſelf ſhews that the upſet price was, at that time, regarded as dear enough. If it was ſo then, it muſt be far higher at preſent than it ought to be. The fate of the matter ſhews that the law muſt have ſunk into a prohibition.

This is a very important circumſtance to the labouring poor. The golden apples of the weſt are once more guarded by the dragon. It can ſerve no advantage of finance to ſell theſe lands dear. As ſoon as they ſhall be cultivated, the amount of imports, and conſequently of impoſt, will increaſe. Exciſe, alſo, and a direct tax upon property, can at any time, crop the exuberance of wealth accumulated by the overcheapneſs of frontier lands. But indeed it is notorious that new ſettlements are always the pooreſt quarters of the country. The expence of clearing the ground, of building, of buying ſtock, the common vicinity of thieving and hoſtile ſavages, and the conſequent neceſſity of being always ready for warfare, bring numerous and heavy burdens upon a remote farmer. He is diſtant from any market. He can neither buy, nor ſell, with the ſame advantage as other people. He muſt always expect to be ſcarce of money, for a conſiderable time after his emigration. The value of his farm, however, is ſure of increaſing, and will, in the ſequel, pay for all his labour.

To foſter induſtrious poverty, therefore, the price of the weſtern

lands ſhould be made payable by inſtalments. A man buys three hundred acres of ground for ſix hundred dollars. The probability is that he can more eaſily pay ten annual inſtalments of an hundred dollars each than the former ſum at the term of his entry. In England, it is no mark of great judgment when a landlord deſires, as he ſometimes does, to get a large ſum by way of fine, at the commencement of a leaſe. The ſubſequent improvements of the tenant are likely to be cramped. In the mere light of finance, the ſame remark applies to the diſpoſal of the weſtern territory.

CHAPTER V.

The same subject continued. Explanation of the word land-jobber. *Proposal by Hamilton for selling the western lands at twenty cents per acre. General observations. Address to the reader.*

DURING the revolution, when the rich found it neceſſary to flatter the poor, nothing could outcant the canting of congreſs, on this affair of the vacant lands. Mr. Waſhington, alſo, with all the harmony of his periods, congratulated "the citizens of America, placed in the "moſt enviable condition, as the ſole lords and proprietors of a vaſt "tract of continent, comprehending *all* the various ſoils and climates "of the world, and abounding with all the neceſſaries and conveniencies of life."* For preſent advantage to the poor, the Weſtern lands might as well placed be in the centre of Tartary. By the prohibitory Statute, they can only be ſold for the utmoſt farthing which they are worth, or ſomething above it; and this price, when accumulated in the treaſury, goes frequently to the moſt profligate, and atrocious ends. The thirty ſix thouſand dollars ſunk on each of the firſt years of the two embaſſies to Portugal and Pruſſia, would have bought perhaps fifteen thouſand acres at vendue, and might have comfortably ſettled three hundred families of people, at leaſt as good as John Quincy Adams, and certainly much better than Dr. William Smith.

THE mode of payment is as oppreſſive as the quantum. One half of the money muſt be advanced within thirty days. Agreed. For the other half, one year's credit is given. But if the caſh is not then paid, "the ſale ſhall be void, all the money theretofore paid on account of "the purchaſe ſhall be *forfeited* to the United States, and the lands "thus ſold ſhall be again diſpoſed of, in the ſame manner as if *a ſale "had never been made.*" When a man has bought lands at the higheſt rate, and has advanced one half of the purchaſe money, he will certainly give the reſt as ſoon as he can. Yet an hundred common accidents may prevent his ultimate liquidation at the preciſe day. A private landholder enforcing or barely demanding ſuch a ſtipulation, would be regarded in the worſt light. Yet congreſs pollute the ſacred repoſitory, the very fountainhead of juſtice, with a condition too deteſtable to be worth an argument.

THE ſame ſection has a phraſe that breathes a ſpirit of arrogance.

NOTE.

* *Letter to the governor of Virginia, dated Newburg, June 10, 1783.*

On full payment, the purchaſer "ſhall be entitled to a patent." This is certainly a moſt gracious morſel of information. We know that he IS *entitled*. The only queſtion comes to be will he get his patent? Our legiſlative ſervants ought always to remember that they are addreſſing men, by nature their equals, and by ſituation their ſuperiors.

THE tenth ſection provides two thouſand dollars per annum to the ſurveyor general. Ruſus Putnam cannot run the true meridian. The foundation of a new ſinecure was probably one of the principal reaſons for paſſing of the ſtatute. Citizens! This is the way in which your money goes. A territory five times as large as Virginia, and containing ſome of the richeſt land in the world, is blocked up from the axe and the plow, becauſe *the lands cannot be ſurveyed*. Did ever mortal hear ſuch ſtuff before?

While this negligence prevails on the one hand, an equal ſhare of avarice occurs on the other. On February 17th, 1797, Mr. Pickering gave into congreſs a report as to impreſſed ſeamen. He pointed out various deficiencies in the conſular law. He then obſerved that "the "act alſo authoriſes our conſuls to ſupport our needy or ſick ſeamen in "foreign ports; but reſtricts the allowance to *twelve cents a day*, a "ſum that in but few ports in Europe would procure them a ſingle "meal; and as to the ſick, *they muſt be left to periſh*, unleſs the con-"ſuls, at their own expence, provide cloathing, nurſes, and phyſici-"ans. And who is to bury the dead? Funeral expences are, in many "places, conſiderable."

THIS was the fatherly care of congreſs. They granted to others exactly one fiftieth part of what they took to themſelves. If their dogs or horſes had been *on the table*, they would have felt and acted like men. Twelve cents per day to ſeamen, and two cents to an old ſoldier,* agree very well with fourteen thouſand dollars for the furniture of a houſe which wanted none, with an Algerine tribute paid nine times over, and with the refuſal of an account of the millions exhauſted on the Pittſburg expedition. In one part of the conſular law congreſs break the conſtitution; a circumſtance very common in the ſtatute book. They order that our merchant veſſels ſhall be obliged to bring home from foreign countries a certain portion of ſuch American ſeamen as may be in want of a homeward paſſage. They had not the leaſt authority to give ſuch orders. The injunction is a twig from the root of the French corvees. Mr. Pickering very juſtly notices that if a ſhip has her full compliment of men it may be inconvenient for the owners to take them on board. The law ſhould have pointed out the fund from whence this paſſage of ſeamen was to be paid for. In that caſe, Jack will always find room, even though the veſſel could be worked without him.

SOMETHING yet remains to be ſaid of the ſtatute for preventing the ſale of the North-Weſtern territory. A ſmall part of the lands deſcribed in that law had been ſurveyed under an ordinance of 1785, and it is poſſible that ſome of them have lately been ſold. This exception is here adverted to for the ſake of defeating cavils. But with regard to

NOTE.

* *One claſs of invalids get ſeven dollars and an half per annum.*

the whole buſineſs, a new ſtatute ſhould be paſſed, as ſoon as the people have overcome their preſent abhorrence of *democracy*, that is, of their own perſonal intereſt and importance. At this time, a man cannot pretend to ſettle in the new lands with a leſſer ſtock than three thouſand dollars. The lot itſelf will coſt him, at the cheapeſt rate, twelve hundred and eighty dollars, beſides office fees. He has then to tranſport his family and effects from a diſtance of perhaps four hundred miles, and to ſit down in the ſolitude of Alexander Selkirk. Two ſhort alterations of the law will put an end to theſe difficulties. Reduce the price of the lands to one half dollar per acre, and make this money payable by ten annual inſtalments. Give the coloniſt, alſo, four years of reſpite, before theſe payments are to begin, that he may have leiſure to build a tolerable houſe, to dig his garden, to plant his orchard, and to raiſe a winter ſhelter for his cattle. As for land jobbing, a ſingle clauſe will be ſufficient for burning up, like Hercules, the roots of that Hydra. Let it be enacted that two thouſand lots of a mile ſquare ſhall annually be ready for ſale; and, that wherever a lot has not been ſettled by at leaſt one family, within two years from the day of ſale, then the holder ſhall forfeit his right.* Thus the poor have a plentiful market.

At preſent there is a general complaint for want of land, at the very time when all the men and cattle on the federal territory could not occupy one tenth part of it. In the mean time, the people adore themſelves, as the ſpecial patterns of human perfection; and, while they are themſelves deſcended or compoſed of the rags and fritters of every nation in Europe, they have recently ſtigmatized foreigners by the moſt inhoſpitable ſtatute that ever profaned the divine art of printing. Inſtead of ſcolding at their diſappointed and dejected viſitants from the old world, the ſages of America may find ample exerciſe for contempt, in the contemplation of their own prominent ignorance. The act under review paſt at the ſame period with the appropriations for the Britiſh treaty. It paſt with ſo little notice that, out of congreſs, I have never heard any human being objecting to a ſingle word of this ſtatute; nor does one citizen out of ten thouſand recollect that it has an exiſtence. All the harm that Jay did, and all the good which he might have done, were not, by an hundred degrees, of ſo much conſequence to the poor as this oppreſſive law. Yet no popular cenſure has ever been caſt upon it; while the public are alternately trembling for fear of an Engliſh war, and dancing for joy at a French one.

It is eaſy to get at this weſtern land, ſo extremely deſirable to thouſands of indigent families. Let the poor claſs of citizens in Virginia inſtruct the aſſembly to remonſtrate to congreſs upon the ſtatute of monopoly. The members from this ſtate muſt, conſequently, ſupport the repeal. Oppoſition would be very ſtrong, and perhaps, for one ſeſſion, might repel the propoſal. But when the matter has once become a ſubject of popular converſation, when the ſtone ſhall be fairly ſet a rolling,

NOTE.

* *I had just now objected to such forfeiture in the statute of congress. But in that case, half of the money had been paid; whereas here the purchaser has advanced nothing. This makes all the difference imaginable.*

the value of the prize is so immense that the torrent of public opinion, with irresistable and disdainful impetuosity, will burst over and bury the pigmy bulwarks that aristocracy would raise against it. Is it not better to cultivate three hundred acres of your own land than to pay an hard rent for sixty? Is it not better to pasture upon a natural meadow, six foot deep of grass, than to plague yourselves with collecting and scattering dung, and with sending twelve hundred leagues for the plaster of Paris? Is it not better to have salt from the spring upon your own farm, or within a moderate distance, than to bring salt from Europe through the bloody jaws of an American excise? As for horses, they can be caught by thousands in Louisiana for three-eighths of a dollar per head, and they can be conveyed to the northwards, and sold, for half the price that they cost when raised in Virginia.* Do you deserve the name of rational beings, when you abandon to the wolf and the bison, lands that are your own, and which are among the richest and most beautiful that omnipotence and the four elements are capable of producing? Ye simple men! to be croaking, like as many bull-frogs, about French vice, and American virtue, when we all know that this country, just like every other, is choak full of sorry characters. What have ye to do with carving and mincing morality for foreign ministers? Health, peace and competence, begin and close the circle of human enjoyments. And, if these are at all to be found, you have the best chance for them on a large farm of your own, at an impenetrable distance from the quarrels and the crimes of Europe.

Connecticut has sixty inhabitants to the square mile; and these people are constantly boasting of their happiness. Kentucky contains about fifty thousand square miles; and each of them is, upon a medium, worth at least four in Connecticut. Kentucky could, therefore, support two hundred and forty persons for every square mile.† This, for the whole area of the state, comes to twelve millions of people. Besides the physical difference of soil, the Connecticut farmer spends half his time in providing for winter; while, in Kentucky, that season can almost provide for itself. Instead of twelve millions of souls, Kentucky has about three hundred thousand. Land has already become scarce. The people are flying in multitudes across the Mississippi, where the King of Spain has invited every planter to the gratuitous acceptance of three or four hundred acres, as rich as can be desired. What a mortifying contrast is here held out between the pettifogging projects of our land-jobbing aristocracy, and the manly benevolence of Charles the fourth! When we think of our own blessed masters, we should speak with moderation of the wickedness of Kings. It is true that some of these emigrants have returned to the eastern shore of the river, because the climate of Louisiana has proved rather unwholesome. But the same ob-

NOTES.

* *I have seen a very tolerable horse, which cost its owner exactly two shillings and three-pence currency, to the person who caught it. These horses will soon become remarkably tame.*

† *In China, the population is about three hundred persons to a square mile; and in England comes to nearly an hundred and sixty. Yet England is far from being cultivated to its utmost possible height.*

jection lies to every new country, till the woods have been partly cut down. In case of a French war, so wantonly solicited by John Adams, the western waters would be instantly blocked up, and the Kentuckians, like a second going forth of the Israelites, would hourly precipitate by thousands upon the Spanish territory. It may be expected that, within six months from the declaration of war, Kentucky herself will erect the standard of independence, and close a compact with the French republic.

If the leaders of the British and six per cent. factions are not positively bewitched, the reception, or rather expulsion of their alien and sedition acts may convince them in what light their measures are considered by Kentucky. Tennessee follows her footsteps; five hundred thousand people* are severed from the government; and the whole country plunges into fathomless confusion. This prospect is too self-evident for elucidation. And yet because Dr. Logan, Thomas Jefferson, and a few other persons, who still retain their senses, attempt to turn aside the torrent of destruction, they are assailed from every quarter with volumes of Billingsgate. Fenno, Russel, and other newsprinters, who rest upon the patronage of Adams, or Liston, must either become ridiculous to themselves, and infamous to the world, or cast their families out of bread. Of our conduct to France, Mr. Barlow's letter conveys an honest and excellent description, and yet at the period of his writing, one half of our follies had not been committed.

But as the directory stiffly refuse to indulge Mr. Adams with the hostility that he desires, we may hope that the disjunction of Kentucky is yet a distant prospect. Still however, the removal of her inhabitants to Louisiana is a great and growing evil. This circumstance, so ignominious to federal policy, originates in the monopoly of land. The feudal tyrant was anxious, by every method, to multiply his vassals. The American aristocrat is distinguished, like the tyger, by the silence and solitude that surround him. On the most scattered system of population, Kentucky can support five times her present amount of inhabitants. Yet some are forced to depart for want of room, and thousands of the rest are kept in a state of fermentation with law suits and ejectments. The property of the soil, as a hunting ground, had been for ages contested, when the Indians transferred such a title as they had, to the state of Virginia. A land-office was then opened; and grants were made without distinction to almost every man who could pay for a survey. This produced the most tantalizing confusion. The limits of one survey often interfered with those of another. The same spot was frequently assigned to different persons. One tract is said to have been covered with twenty-seven successive patents; each deed of elder date expelling all those that came after it. Settlers have been ejected from their farms, after undisturbed possession for fifteen years. The assembly of Kentucky should put an end to this tempest of litigation by one universal and sweeping statute, confirming the present pos-

* *In* Sedgwick & Co. *it is said that the two south western states can muster forty thousand militia. More recent accounts ascertain that they could raise a far greater number.*

feſſors. They need not be very ſcrupulous about the ſanctity of patents, when holders have ſuffered them to ſlumber till this time. They have before them a caſe in point that went vaſtly farther. The aſſembly of Pennſylvania, without provocation, or pretence, faſtened their fangs upon Penn's charter, and have long ſince partitioned the laſt acre of the ſpoil.

The preſent embarraſſment of landholders in Kentucky, was an additional reaſon for congreſs to facilitate inſtead of forbidding the ſale of the weſtern regions. Various evils would have been prevented by that line of conduct. The baleful ſpeculations of Morris have ſhot, like a peſtilence, through every nerve and fibre of the credit, the probity, and the happineſs of America. Perhaps the avarice or ambition of this ſingle man has done as much miſchief to his country, as the piratical depredations of either France, or England. His plan was grounded on the poſſibility of keeping up a monopoly of land; and his inſolvency was chiefly aſcribed to the ſudden reduction of its price.—As both his abilities and information were of the firſt claſs, and as he could not calculate upon executing ſuch a plan by his own reſources only, it ſeems probable, that he depended for ſupport upon the land-jobbing party in government, who had embarked in the like monopoly. Fortune has overſet him, and it remains for the farmers of Virginia to overſet *them*. It is trifling to ſay that the price of the vacant lands ought to be kept as high as poſſible, for the ſake of diſcharging the public debt. The weakeſt man begins to ſee that the public debt will never be diſcharged, till there is a compleat alteration both in the maxims and the conductors of the federal government.

If the lands had been offered for ſale, ten years ago, at half a dollar per acre, with a percentage for the fees, they might, at this day, have been inhabited by fifty thouſand thriving families, including thouſands of thoſe men, who have ſince been impreſſed by Britiſh pirates, or have periſhed upon the ſplendid allowance from congreſs of twelve cents per day. Of the twenty thouſand victims to the annual and accurſed peſtilence of our ſea-ports, a conſiderable number might have eſcaped in the ſtream of weſtern emigration. At an hundred dollars for each tract of two hundred acres, it is likely that five millions of dollars might, by this time, have come into the treaſury. The land-jobbing junto would have been thoroughly broke up; and the people of America would have been in reality, as they are in name, "the ſole lords and proprietors of "a vaſt tract of continent."

I have not here touched upon the debates that accompanied the paſſing of this ſtatute. Some reſpectable members did certainly fall ſhort of their wonted accuracy of thinking. To enter, in this place, upon the particulars of the diſcuſſion, would fill a diſproportionate ſhare of the volume. But as the ſubject is of immenſe conſequence, and eſpecially to the poor, it ſhall be reſumed on a future occaſion. In common language, the word *land-jobber*, implies an unfavorable idea. It has been uſed here on account of perſpicuity, rather than of cenſure, becauſe it is peculiar to the American idiom, and has no ſynonimous phraſe in our language. The diſtinction that has been recently remarked, as to the buyers of certificates, applies equally to the buyers of land, with the ſimilar exception as to members of government. With regard

to thoſe, alſo, who lend money at an illegal and exorbitant intereſt, the blame is to be laid on the laxity of the law. With thoſe who riſk their caſh, it is a lottery, in which moſt of the adventurers would not engage, if they conſidered it as connected with diſgrace.

Jonathan Dayton, late ſpeaker of congreſs, will be one of the moſt violent oppoſers to a bill for promoting the ſale of the weſtern lands. He has embarked in large ſpeculations on that quarter.* His behaviour, during the ſecond ſeſſion of the fifth congreſs, may be conſidered as a pattern of negligence and brutality. From the fury of his temper, his ſix per cent friends had, in the fourth congreſs, been fully tired of him. William Smith and others, at the ſeſſion of May, 1797, had deſigned to bring forward, as candidate for the chair, the hero of *the last ditch!* Dayton threw himſelf upon the republican intereſt, and oppoſition appearing uſeleſs, he was choſen with almoſt perfect unanimity. During that ſeſſion, he behaved tolerably. But, at the next meeting, in November, 1797, he took a decided part with his old friends, the ariſtocracy. The people of Jerſey diſapproved of his conduct, and he began to expect that, at the approaching election, he would be turned out. At the military promotion in ſummer, 1798, Mr. Adams appointed him a colonel of artillery. Mr. Dayton did not look upon this preferment as an adequate compenſation for his preceding diſburſements of character and lungs. He ſignified his diſappointment and diſpleaſure. In conſequence of this intimation, Mr. Adams recalled his nomination to the ſenate, ſaid that it was made by *miſtake!* and Mr. Dayton received the rank of brigadier general. The aſſembly of Jerſey have ſince elected him as a ſenator of congreſs. His principal object in accepting of this appointment is that he may watch over his weſtern concerns. But if the people of Virginia chuſe to be unanimous and determined, he, and all others in the like ſituation, will be of no conſequence. Whenever you ſhall hear a ſpeech in congreſs againſt ſelling the weſtern lands at a cheap rate, aſſure yourſelf that the orator is either a land jobber, or ſome kind of caterpillar, that propoſes to fatten on preſidential patronage. It would be highly commendable to inſtitute committees of correſpondence for obtaining an abolition of this prohibitory ſtatute, juſt as the people of Britain aſſociated for aboliſhing the ſlave trade. A powerful reſiſtance muſt be expected, but ſenſe and firmneſs, with the invincible aſcendancy of truth and juſtice, will ſoon be victorious. They will plant, on the grave of an execrable ſtatute, the triumphant banners of the yeomanry of America. The poorer claſſes in every part of the union would chearfully form committees of mutual correſpondence for this effect. The extinction of that vile monopoly is for the intereſt of an immenſe majority of people. Even the wealthy part of the inhabitants of our cities would find advantage in removing from the ſtench and contagion of dirty and crouded ſtreets, from ſprings of water diſtilled from kennels

NOTE.

* *The detail of this man's western adventures will form an interesting portion of history. Most of the facts are upon the journals of the old congress. And yet the people of America know no more about them than they do of the predecessor of Sesostris.*

and neceſſaries, to freſh air, palatable water, and that repoſe from noiſe and buſtle, that pleaſing forgetfulneſs of the world, ſo delicious to men of reflection, and ſo finely perſonified by the poet.*

TAKE NOTICE! On March 14th, 1790, Mr. Hamilton gave in to congreſs a report reſpecting the ſale of the weſtern lands. He recommended the upſet price to be fixed at twenty cents, per acre, as the higheſt ſum which was adviſeable.

The extract of this report has been miſlaid, but the ſum recommended was poſitively *twenty cents*. Such a propoſal ſtands in direct oppoſition to every former, and ſucceeding part, of Mr. Hamilton's political ſyſtem. The ſale of the lands was originally obſtructed by his notorious agency. The act of May, 1796, and the ſubſequent plan to prevent the townſhips from being laid off, muſt be conſidered as branches from the ſame trunk.

This report of Mr. Hamilton receives uncommon value from the character of its author. All the ariſtocrats regard him as a kind of divinity. Thus, in 1793, the houſe of repreſentatives rejected, for his ſake, two reſolutions propoſed by Mr. Giles. The one was, in effect, that the houſe *had a right to do their duty*. The ſecond was that *they had a right to compell the public ſervants to do theirs*. The reaſon for the refuſal of theſe reſolutions was that they might have ſeemed to caſt a reflection on the virtuous character of the ſon of the camp girl. To a plain farmer on James river, this negative may ſeem too audacious, too monſtrous, for belief. The fact is unqueſtionable. For a complete conception of all that is horrible in the moral world, we need not repair to Virgil's Tartarus, or Claudian's Rufinus, to the cave of Gil Blas, or the cabinet of Peachum. We have only to contemplate this virtuous New-England majority of the ſecond congreſs! Men of Virginia! before you rail at France, before you meaſure mountains in the moon, *remove the dunghill that blockades your door!*

When you have digeſted theſe reflections, contemplate the hiſtory of the preſent year. Think what you have been, what you are, and what, under the monarch of Maſſachuſetts, you are likely to become. Look at Schneider flogged by the federal troops in the market place of Reading, and at the judge fining theſe rioters in the farcical ſum of ten dollars per head! Think of Duane dragged from the office of the

NOTE.

* *Her air was ſo modeſt, her aſpect ſo meek,*
So ſimple, yet ſweet were her charms,
I kiſs'd the ripe roſes, that glow'd on her cheek,
And lock'd the lov'd maid in my arms!
Now jocund together we tend a few ſheep;
And if, by yon prattler, the ſtream,
Amidſt her embraces, I ſink into ſleep,
Her image ſtill ſoftens my dream.
To the views of ambition we never aſpire;
The Damſel's of humble deſcent;
The cottager PEACE *is well known for her ſire,*
And the ſheperds have nam'd her CONTENT.

CUNNINGHAM.

Aurora, and of Philadelphia driven to the verge of tumult and maſſacre! Obſerve, alſo, that the incendiaries who wantonly commenced this outrage, continue to baſk in the ſmiles of the preſident! Think of the groſs and audacious proſtitution of the federal bench, by the ſucceſſive ſelection of foreign ambaſſadors from that body! Look at John Quincy Adams, with his fifteen thouſand dollars per annum, and at three ambaſſadors appointed inſtead of one, appointed for the ſake of picking your pockets, appointed for the ſake of extending the baſe of the pyramid of corruption! When the preſident prattles upon national honour, when, in the dialect of inſanity, he brags that he would rather fight the French for twenty years, than give them a ſhilling, aſk him what has become of your trade with Holland, of a trade of exports extending to eight millions per annum?* Aſk him whether it has not been extirpated by an arbitrary mandate from George the third, and, while we are thus conſumed in the very focus of degradation, queſtion this man with what decency *be* dares to gabble upon the independence of America? While ſuch numbers of the effective agents of the revolution languiſh in obſcurity, or ſhiver in want, aſk Mr. Adams whether it was proper to heap ſo many myriads of dollars upon William Smith, upon a paper-jobber who, next to Hamilton and himſelf, is perhaps the moſt deteſted character on the continent? Finally, bid him tell whether any mortal but the moſt inſolent of tyrants, or the moſt frantic of madmen, would think of covering Virginia with ſepulchres and bonfires?

Of ſuch queſtions there could be no end. For the laſt twelve months, eſpecially, the federal government has chiefly conſiſted of a deluge of barbarities. Think of Martin, the republican printer of Baltimore, inſulted in his office, and aſſaulted in the ſtreets, not merely by the rank and file, but by the commiſſioned ringleaders of the military and maritime banditti! Think of David Brown indicted for a frivolous advertiſement, that wiſhes long life to the vice-preſident! Think of captain Williams, who has likewiſe been fined and impriſoned, for exerciſing the indefeaſible right of expatriation! Think of the reſcue of the horſeſtealer at the Swan-Tavern, of the ſeven ſabres pointed at the breaſt of the ſheriff of Mecklenburg, and of all the multiplied and execrable circumſtances of aggravation, which marked that enormity! This is federal government! This is that AWFUL SQUINTING foreſeen by Patrick Henry.

NOTE.

* This trade ſeems to comprehend about one eighth part of the whole exports of the union. In 1793, the latter extended to 26,000,000 Dols.

In the ſame year, the exports to Holland were	3,169,336
In 1796, the exports were	67,000,000
Thoſe to Holland were	7,875,364
In 1797, they came to	8,845,486
Thoſe of *Britain*, during the ſame year were only	8,569,748
Superiority, for that year, in favour of HOLLAND	275,738

Obſerve alſo the precipitate raptures with which the deſpots of America graſped at the recent phantom of diſturbance in Pennſylvania! Look at the ſwords drawn upon ſick or pregnant women, at the children who were kicked, at the axes which were ſtolen, at the priſoners with their wriſts cut to the bone by handcuffs that weighed SEVENTEEN POUNDS! This was a natural ſupplement to the horrors of the Pittſburg expedition, to the conſpiracy for the murther of Brackenridge in the embraces of his wife and family! Virginians! Have ye ſunk ſo far in the ſcale of intellect that it can be neceſſary to explain and expatiate concerning ſuch gigantic villainy?

Forget not alſo, the jail of Litchfield, Harper's vindication of the Northampton outrages, and the charnel houſe of Newcaſtle, where French priſoners were ſtarved to death by the cowardly barbarity of the ſix per cent faction! Be ſure to remember the flogging and *redress* of captain Giles, the unavenged murther of Jeſſop, that paragon of effrontery, the letter from Pickering to Bee, Sterret's boaſted aſſaſſination of Neale Harvey, and the Britiſh treaty gibbet of Robbins! With theſe reflections you will look forward to October, 1800. You will then, as Tacitus expreſſes it, think of your anceſtors and your poſterity. You will then take your choice between innocence and guilt, between freedom and ſlavery, between paradiſe and perdition. You will chooſe between the man who has deſerted and reverſed ALL his principles, and that man,

Whose own example ſtrengthens all his laws,

that man, whoſe predictions, like thoſe of Henry, have been converted into hiſtory. You will chooſe between that man whoſe life is unſpotted by a crime, and *that* man whoſe hands are reeking with the blood of the poor friendleſs Connecticut ſailor! I ſee the tear of indignation ſtarting on your cheeks! You anticipate the name of JOHN ADAMS.

Yet even this moſt abominable murther was but a ſingle act. It was an act which dwindles, when compared with the dictionary of the crimes of the preſent letter-intercepting adminiſtration!* The Marplot of Cheſnut ſtreet has blabbed the ſecret, which decorum would have attempted to conceal. "It was *hoped*," ſays Fenno, "that before the fatal no-"mination* could reach Paris, the capture of the Inſurgente, and "other acts of reſiſtance on our part, would have ſo wounded the pride "of the directory, as to have produced a *declaration of war*, or at leaſt "have effected an irreparable breach; or *that*, in the interim, his moſt "chriſtian majeſty might have *trampled his rebellious subjects under "the foot of his throne.*" [There's a *republican* printer for you!]—"This hope proved nugatory.—The effect of the nomination upon the "*federal* party, even with *these hopes* in reſerve, was like that of "ſome tremendous tornado upon a rich and flouriſhing plantation.

NOTES.

* *At the time of the election of* 1796, *Mr. Jefferſon could hardly write a letter which was not broke up at the poſt-office. This circumſtance is deſcriptive of the treaſury myrmidons. The ſame honeſt practice will infallibly be revived in a few months. Such are the ſtateſmen who, by the late act of congreſs, ſhould be ſent to the whipping poſt.*

† *Of Ellſworth, &c.*

" *All the tenor of its soul was lost*, and it ceased from that hour to be " a party." [So much the better.] " Its cause has since undergone " a regular declension, the future steps of which daily grow more cer- " tain." [Better still!] " The election of M'Kean we owe to this " sole cause; that of Monroe in Virginia is its most natural offspring; " and the succession of Jefferson to the presidential chair will become " an event which no longer can, or indeed *ought to be opposed.*"‡ Bravo!

The printer to the senate goes on, at this rate, for two columns and an half. The above extract is quite sufficient for proving that there has existed a conspiracy for plunging the United States, right or wrong, into a rupture with France. Of this fact, the intercepted letters from Robert Liston, also, form a separate and invincible demonstration. This ambassador expressly declares that the American government has repeatedly *affronted* France. Now, the act of *giving an affront* belongs exclusively to an aggressor; and, according to Mr. Liston's opinion, the aggressor in the present instance is the president of the United States. In the midst of such deplorable discoveries, it is not surprising that the tide of popularity has turned, and that, as Fenno says, the party has *undergone a regular declension.*

Every feature in the conduct of Mr. Adams forms a distinct and additional evidence that he was determined, at all events, to embroil this country with France. The proofs to this effect will compose a considerable part of my next volume. But the strict truth of the assertion is already imprinted in the breast of every well informed, or half informed man in America. It is, therefore, with some astonishment, that we are to perceive the present stile of certain republican newspapers. These publications condemn, and with the utmost justice, every other part of the president's administration. Yet they pretend to give him the greatest credit for his having, in February last, appointed a second set of ambassadors to negociate with France. For this nomination, Mr. Adams does not deserve the smallest share of thanks. That part of his duty was not performed by choice, but extorted by necessity. He deferred the nomination as long as he could possibly defer it, with any sort of attention to appearances. And it was not till *eight months after the nomination*, that these ambassadors set sail. This delay was evidently made under the pious expectation that the republic was to be overwhelmed by the combined powers. France has begun to recover her native attitude of victory; and now, after losing the most favourable moment for negociation, the moment when she was defeated and humbled, our ambassadors proceed at the worst season, and with the worst grace imaginable. The directory will say, or at least they will think, to the following purpose:

" Gerry went home, and, upon the best evidence, told you that we " panted for peace. Instead of thanking him for this intelli- " gence, your scurrilous majority of congress, and your newspapers in " the pay of the British ambassador, attacked this citizen with that pe- " culiar savageness of invective by which nature has distinguished Ame-

NOTE.

‡ *Gazette of the United States, October 12th, 1799.*

" ricans from the reſt of mankind. The perſecution of Logan was the " ſecond note of the ſame tune. When Talleyrand, in September, " 1793, made the moſt amicable, and almoſt abject advances to Mur- " ray, your preſident kept theſe diſpatches in his pocket, during the " whole winter, while he was exerting every artifice to perſuade the " public that the directory thirſted for war. Your own printer " declares that the Inſurgente was captured for the ſake of provoking " us to hoſtilities. You have entered into an alliance with the rebel " Touſſaint, who is in arms againſt the republic. Put the caſe that " Arthur O'Connor were to eſtabliſh himſelf on the coaſt of Connaught, " and that your preſident were to make an alliance with him. Do you " think that George the third would ſuffer you to appear as ambaſſa- " dors at the court of London? Your appointment to Paris aroſe from " the impulſe not of friendſhip, but of fear. The expulſion of the " kings of Naples and Sardinia ſcared your preſident into the nomina- " tion. After a ſhort pauſe, he recovered his ſpirits, and kept back " your commiſſions, till he ſaw that the republicans were once more " rallying around the ſtandard of victory. With what decency can " you, under circumſtances like theſe, aſk for the friendſhip of France?"

This is a candid ſtatement of the conduct of Mr. Adams. His internal adminiſtration, as before explained, has been quite as exceptionable! Reſpecting the behaviour of his faction, the following queries are ſubmitted for the deciſion of the reader.

1ſt. Whether is it moſt commendable to knock down an independent honeſt newsprinter, or to knock down his ſon?

2d. When thirty-ſix men have ſurrounded one, and when this *one* offers to fight the whole *posse* in ſucceſſion, whether is it the greateſt proof of bravery to accept of the one man's challenge, or to ruſh upon him, all in a body, beat him down, and kick him when lying ſenſeleſs?

3d. Whether is it the greateſt act of heroiſm to ſteal Jacob Goſſin's axe, to draw your ſword upon his pregnant wife, or to kick his children?

4th. Whether does it ſhew the higheſt ſenſe of honour, of delicacy, and of manhood, to frighten the widow Bache almoſt out of her life, or to employ the infamous printer of the Britiſh ambaſſador's gazette to write baudry paragraphs againſt her?

5th. Whether is it abſolutely neceſſary to ſtab a man through the heart, becauſe—he looks *pale?*

Nota bene. Old officers affirm, that when a regiment marches to an engagement, one half of the braveſt men in the ranks look pale. When Henry the fourth of France heard that his miſtreſs had almoſt got her coach overſet, Sully ſays that the King *looked pale!* and yet he was a prince whoſe bravery bordered upon madneſs. By the Truxtonian cod of diſcipline, Sully ſhould have run him through.

While theſe ſcenes of authoriſed outrage and murther progreſs before our eyes, it is trifling to ſpeak of gunpowder plots, or Sicilian veſpers. In the midſt of ſuch doings, Mr. Adams demands implicit confidence, and certain republican writers affect to give him the utmoſt credit for the purity of his intentions. We have the greateſt reaſon to ſuſpect that the preſent adminiſtration are equally deſirous of a French and of a civil war; and on this account, every impartial man will refuſe to give them an atom of his confidence. The whole New-England

ſyſtem ruſhes directly towards the eſtabliſhment of an immenſe ſtanding army, the augmentation of an immenſe public debt, and the foundation of an abſolute monarchy.

Thus of an invaſion from France, and from the moon, there is at preſent an equal danger. America might as well muſter armies to repel a planetary attack as one from France. But every man of ſenſe perceived from the beginning, what every fool ſees now, that the whole plan of a ſtanding army was, as Mr. Gallatin, has obſerved, in congreſs, to ſupport the views of a party. This opinion has been ſtated in that aſſembly with the utmoſt plainneſs; and it ſeems hard if we muſt give our ſervants ſix dollars per day to ſay for us what *we dare not say for ouselves*.

It is all a farce to ſpeak of a free election for *the next president*. This military inſtitution is to coſt we know not how many millions of dollars per annum. By ſuch means the continent is to be filled with officers who, by a very ſingular ſtile of writing, hold their commiſſions, not during good behaviour, but during *the pleasure of the president!* Theſe gentlemen muſt be apprehenſive that they would inſtantly be turned off, on the leaſt ſuſpicion of their being attached to Mr. Jefferſon, of their wiſhing for the freedom of the ſlaves of kings, or for the independence of the American preſs. Hence, at the election of October, 1800, the ſtock-jobbing faction are to graſp the national purſe, with an expenditure of fifteen millions of dollars per annum. They may brandiſh the national force, conſiſting of twenty, thirty, or fifty thouſand ſcrewed bayonets; if as many adventurers can be found, between Nova-Scotia, and Eaſt-Florida, between the Cheſapeake, and the Natchez, who are willing to ſell themſelves for ſixty dollars a year. Such is the proſpect before us! But ſo long as truth ſhall ſtruggle for exiſtence, let us determine to exert the ſublime right of THINKING; ere yet republican principles ſhall have ſunk into the chaſm which is burſting beneath them; ere yet American liberty ſhall have vented her laſt groan of expiration.

Between ſuch an army, and ſuch a preſident, we are likely to have *an excellent presidential election!* The laſt affair was, in many reſpects, infamous, and more than ſufficiently infamous. The next will infallibly be ten thouſand times more diſgraceful.

It was eaſy to ſee, from the commencement of the conſtitution, that the Preſident would terminate in a Monarch. Hear upon this ſubject, an author whoſe publications, though ſomewhat unpopular, place him in the firſt rank of Britiſh hiſtorians. "If contrary to all probability," ſays he, "the plan of a conſtitution now (1787) in agitation in America, ſhould really execute itſelf, then the preſiding officer will be "elected, as every ſuch officer has been, *ever since the world began*, by "the intrigues and factions, and perhaps violence of his own countrymen.—This preſiding officer, whether the firſt who is elected, or one "of his ſucceſſors, is immaterial, will naturally govern by that home "faction, or that foreign king, who raiſed him into eminence. At "the end of *the four years*, it will be his and their intereſt, that he "ſhould not reſign a power ſo uſeful to both. And he will end in a "dictator, protector, or ſtadtholder; that is to ſay, the ſervant will

" infift to become maſter, and *complain that his rights are invaded,* " when he is *invading thoſe of others.*"*

Thus far Baron Dalrymple. His predictions are, at this moment, on the brink of completion. Every Virginian who values his freedom ſhould prepare himſelf to meet the worſt that may happen. He ſhould perfect himſelf in the uſe of a muſket with as much diligence as the devotee learns his catechiſm.

In wealth and population Virginia conſtitutes at leaſt a ſixth part of the whole union. The federal government, and the intereſt of the national debt, coſt, at this time, fifteen millions of dollars per annum.† Of that ſum it follows that two millions and five hundred thouſand dollars fall to be diſcharged by this land of debts, by us, the holders of ſlaves, by wretches who are not fit to be citizens of a republic! This, Virginians! is the dialect of the New-England ariſtocracy; and yet among yourſelves men are ſaid to exiſt, who profeſs to be the friends of that execrable faction.

Call to mind the libraries of falſehood printed againſt Mr. Jefferſon; the Algerine ſubſidy, the deſertion of fifty thouſand defenceleſs American ſeamen, the extinction of your trade with Holland, the prohibition of intercourſe with France, and the conſequent ſale of your tobacco in Alexandria, for ſix dollars and an half per hogſhead, when at Bourdeaux it could have been ſold for fifty. Think of the blockade of the weſtern lands, and of the thouſands of Tenneſſee citizens driven from their farms in the midſt of winter, by the ſtanding army! Imagine that you ſee your pregnant ſhivering wife torn from your fireſide by theſe banditti; and delivered upon the ſnow.‡ Having touched by chance upon this climax of atrocity, this maſterpiece of the manœuvres of land-jobbing, I ſhall ſay nothing at preſent of ſuch trifles as the Maryland forty thouſand pounds, the ten thouſand ſtolen ſlaves, the conſpiracies for burning Bache's office, and for dragging John Swanwick from his death bed. But there is one queſtion, Virginians! upon which I beg leave to make a ſolemn appeal to your ſenſibility, and your underſtanding. Is it fit that a commonwealth, containing an hundred thouſand white families, ſhould be dragooned and trampled, under foot, by libellers and robbers, by incendiaries and executioners.

Before condemning the harſhneſs of ſuch language you muſt enquire whether the facts that have been ſpecified in this volume are true, or otherwiſe. When you find them authentic, your candour will pardon an accidental warmth or aſperity of expreſſion. Such a ſtile is often neceſſary for kindling a ſenſe of perſonal, or of national danger. To rouſe a particular paſſion you muſt aſſume its appropriate language. You cannot write a tragedy in the rhimes of Hudibras; nor deſcribe the miſtreſs of Catullus in the Hexameters of Buchanan. You cannot,

NOTES.

* *Dalrymple's Memoirs of Great-Britain, and Ireland, Volume 2d, Appendix, No. 2d.*

† *The preciſe ſum can never be ſtated, becauſe in general the expenditure goes far beyond the eſtimate.*

‡ *The particulars of this horrible tranſaction muſt be deferred until the next volume.*

in the ſame page, combine the abrupt enthuſiaſm, the ſtern grandeur, the perfect compoſition of Demoſthenes, with the captivating ſimplicity of Xenophon, or the inſtructive loquacity of Plutarch.

CHAPTER VI.

An answer to the late counter address from the minority of the House of Delegates of Virginia.

ON January 4th, 1799, the houſe of delegates of Virginia, by an hundred and three votes againſt fifty eight, agreed to certain reſolutions, wherein they condemn a ſtanding army as unneceſſary. Theſe reſolutions paſſed through the ſenate by eleven votes againſt five.—On January 22d, the aſſembly likewiſe framed an addreſs to their conſtituents. They cauſed it to be publiſhed at the expence of the ſtate. This paper contains a comprehenſive cenſure of the federal government. Several delegates who had voted for the reſolutions againſt a ſtanding army, oppoſed this meaſure of an addreſs to the people, as unprecedented and improper. Hence, it was only carried in their houſe, by eighty votes againſt fifty eight. Of the ſenate, eleven voted for, and five againſt it. Theſe latter proceedings of the aſſembly deſerve a more particular explanation.

A MOTION had been previouſly made in the houſe of delegates for deferring the further conſideration of this addreſs to the people, until the 16th of March following. This delay would have amounted to a poſtponement for that ſeſſion. The motion had almoſt ſucceeded; for it was rejected only by ſeventy nine votes againſt ſixty two.

THE minority then produced a counter addreſs. They propoſed that it ſhould be publiſhed at the expence of the ſtate, along with the addreſs of the majority. Their motion was rejected by ninety two votes againſt forty two. The greatneſs of this majority does not reflect much ſplendor on the judgment or conſiſtency of ſome of its members. Sixty two delegates had juſt before voted for a delay that would have extinguiſhed the addreſs itſelf. But if they were thus diſpoſed to put an entire end to it, they certainly had little confidence in its contents. They muſt have regarded this addreſs to the people, as a performance of very queſtionable merit. On that account, the minority of ſixty two ſhould have unanimouſly voted for the joint publication of the counter addreſs, as a kind of antidote to what they conſidered as the dangerous doctrines of the addreſs itſelf. Inſtead of this, only forty two voted for the joint publication of the two papers. This reſembles an inconſiſtency in thoſe members who deſerted the minority. You firſt vote that a paper is dangerous and ought not to be publiſhed, which was the meaning of the poſtponement, until the 16th of March. You then declare that, ſince the poiſon *muſt* be diſtributed, it ſhall go into the world *without the antidote!*

AS an excuſe for the fugitives from the minority, it may be alledged, that although they diſapproved of the addreſs, yet they held the counter addreſs in ten-fold reprobation; that they regarded the anti-

dote as more dangerous than the poiſon; that they choſe rather to ſee the contagion of diſcontentment ſpread than to check it by ſo deſperate a remedy.

THIS vindication vaniſhes from before us. The third queſtion being put in the houſe of delegates, the addreſs itſelf paſſed, as above ſtated, by eighty votes againſt fifty eight; and the latter number immediately ſubſcribed and publiſhed the counter addreſs in a handbill,* and in the newſpapers. Now, if it was proper, as fifty eight members thought it, to circulate the counter addreſs by itſelf, it was undoubtedly as defenſible to print it along with the addreſs to which it was to be oppoſed; yet of theſe two points, which both reſted on *the very ſame principle*, fifty eight members ſupported the ſeparate publication; and yet only forty two voted for the *joint* publication. *This involves a groſs contradiction.* All theſe votes were taken, and the addreſs was agreed to by the delegates, upon the before mentioned 22d of January, 1799. The ſenate paſſed it on the following day.

The refuſal of the majority to publiſh the counter addreſs, provoked, of courſe, the ſpirit of contradiction. The piece was circulated with that chearful and vigorous induſtry which ariſes from the firm expectation that its efforts will meet with a generous reward. In this reſpect, the ariſtocracy poſſeſs a great and permanent advantage. The federal government has an extenſive patronage; and its bounties are reſerved for its moſt active partizans. On the contrary, the aſſembly of Virginia has almoſt nothing to beſtow. Even the ſalaries of the governor, and of the executive council, preſent no temptation to men of independent fortunes, and of perſonal talents. The latter eſpecially are much leſs than they ſhould be. This is one reaſon why ſuch ſituations have ſometimes been ſo indifferently filled. A chief magiſtrate of Virginia has more than once acted rather like the humble viceroy of the federal government than as the firſt citizen of a powerful republic.—Authority cannot long ſupport itſelf when it has loſt the right of conferring benefits. This is, at preſent, almoſt exactly the caſe with the aſſembly of Virginia. In the courſe that matters have now taken, a few years will moſt likely, reduce that body to as much inſignificance as the cortes of Caſtile, or the ſenate of Ruſſia. One of the beſt methods for averting this ignominy is to raiſe the ſalaries of executive officers. They will then find it their intereſt to cultivate more heartily the approbation of their conſtituents. By receiving at home a ſuitable reward for their ſervices, they will have the greater chance to be deterred from repairing to the federal market. It is not worth while for any country gentleman to quit his reſidence, and become a member of the executive council at Richmond, for the ſake of eight hundred and thirty three dollars a year. The intereſt of Virginia, and the views of the general government have already been at variance;† and if the execu-

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* *In the firſt ſet of hand-bills, this paper, with a view to impoſe upon the publie, bore the following* uſurped *title*, "*The Addreſs of the "General Aſſembly*," *&c.*

† *For example, ſee the late act of congreſs prohibiting intercourſe with France.*

give council ſhall ever feel a diſpoſition to be troubleſome to a federal preſident, he will endeavor to purchaſe a majority of the members.—The preſent ſcantineſs of their ſalaries muſt be ſure to promote his progreſs.

We return to the counter addreſs. Beſides its circulation in this ſtate, an edition was printed at Philadelphia for gratuitous diſtribution, and it is ſaid to have conſiſted of ten thouſand copies. All this gives to the counter addreſs an air of importance. The deſign of this, and the two ſucceeding chapters, is to examine its arguments, and expoſe its fallacies. The taſk will not be difficult. The minority have ſported an immenſe number of aſſertions, for which they did not, and could not give one ſpark of proof. They ſay nothing to the public, but what they had previouſly ſaid in the houſe of delegates. Their arguments failed with the latter; and when fairly explained, they muſt alſo fail with the former.

A great part of this addreſs conſiſts of truths univerſally acknowledged, and which, therefore, I ſhall not contradict. Thus the minority ſay that "War is a ſtate of mental ire,"—that "the fallibility of "man prohibits the hope of *perfection*, in his works;" and that "the "beſt rule for freemen to adopt, in the opinion of our *ancestors*,* was "that which inculcates obedience to laws enacted by a majority of "functionaries appointed by the people."† The inſertion of ſuch trite maxims can only be deſigned to make an unwary reader imagine that their operation turns in favor of the minority; and that the addreſs of the majority ſtands in oppoſition to them. When a public ſpeaker delivers a number of particulars which are known to be true, he ſtands a better chance for being believed, when he covertly introduces one which is falſe. The general truths that are ſo plentifully ſcattered through the counter addreſs are like a bag-full of good dollars, in the midſt of which their owner endeavours to paſs off a number of bad ones. This artifice of the minority is very ſtale, both in converſation and compoſition. It merits no farther notice in this place.

The counter addreſs is introduced by a preamble that begins thus: "the awful criſis, which has arrived, muſt be felt by us all." To this the majority of delegates will agree; for they feel, and very diſtinctly,

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* *This is a strange phrase, as used here; for the next sentence shows that, in this place, the minority are referring to the authors of the federal constitution. This very counter address was presented by general Lee, who was a member of the convention of Virginia which adopted the new system; so that the general himself is one of* his own *ancestors!*

† *As a general rule, this doctrine is excellent; but it may be overstretched. The sole use for a constitution is, to prevent the temporary violence of a factious* majority. *In the midst of profound peace, four fifths of the citizens of Athens once formed a sudden conspiracy against the remainder, seized them, and actually sold them as slaves. So much for a* majority! *When congress pass laws in direct breach of the constitution, and such a case is* possible, *they are not legislators, but usurpers; and were both houses unanimous to the last man, this would not lessen the magnitude of their guilt, or the danger of the precedent.*

the direct tax of two millions of dollars, the ſtamp duty, the exorbitant intereſt of eight per cent. for the preſent loan of five millions, and the prohibition of printing what the upper ſervants of the nation diſlike. We perceive other ſymptoms of an awful criſis. For inſtance, on December 24th, 1798, Mr. M'Henry made a report to the preſident, and Mr. Adams, in a ſpecial meſſage, recommended it to the conſideration of congreſs. In that paper the ſecretary has theſe words: "to be on "ſafe ground, our preparations and ſupplies ought to contemplate an "army of *fifty thouſand men.*"

On a reaſonable eſtimate from the preſent expences of three thouſand, the larger body would coſt forty, or perhaps fifty millions of dollars a year. The wages of their labour as tradeſmen, or farmers, and the profit of thoſe who might be ſuppoſed to hire theſe fifty thouſand men as labourers, when taken together, would come to at leaſt forty or fifty millions more. Add to all this, the monſtrous expence of the recruiting ſervice, the price of tents, of horſes, and of waggons, which are eſſential in the outſet of a military eſtabliſhment. You will then ſee that an hundred millions of dollars would hardly defray the actual loſs to the country, that muſt be incurred by the very firſt year of this army. In the ſecond year, matters would be infinitely worſe. No money could by that time, be borrowed, at any intereſt. Congreſs might attempt to iſſue paper currency, as they did during the revolution; but the people have already been caught in that trap; and the ſtratagem can hardly be repeated. When a ſecretary at war throws out ſuch terrible intimations, the majority muſt acknowledge that this is an *awful criſis!*

In a letter to congreſs, dated December 29th, 1798, Mr. Stoddert recommends a navy, the charge of which no man can foretell, with any ſort of exactneſs. In Europe, it has been computed that one man in the navy coſts as much as four in the army.* The ſtile of Mr. Stoddert is terror itſelf. He obſerves that this eſtabliſhment may be neceſſary for preſerving the general government. "Whether," ſays he, "the union of all the ſtates can long be preſerved *without it*, is a queſ-"tion which merits the moſt ſerious conſideration."

The ſecretary of the navy here ſpeaks like an honeſt man. He does not reſort to the hobgoblin of a French invaſion, as an apology for this bottomleſs gulph of expenditure. He boldly ſays that the new ſeventy fours will ſoon, perhaps, be neceſſary at home. They will be neceſſary [mark his words!] for preſerving "the union of all the ſtates." It is impoſſible to tell us in plainer terms that we are diſpoſed to be rebels, and that we ſhall ſoon become ſlaves. All this indicates, undoubtedly, an awful criſis; but the danger ſeems to commence among ourſelves.

A number of Americans imagine that the Britiſh nation does not underſtand the true principles of liberty. But no Britiſh ſecretary of the navy durſt have ventured upon language like that of Benjamin Stoddert. Suppoſe that Pitt, all powerful as he is, were to come down to the houſe of commons, and to inform them that he wanted twelve addi-

NOTE.

* *Sir John Dalrymple's Memoirs of Great Britain and Ireland.*

tional ships of the line. "They may soon be required," says he, "not "to engage the French or Dutch, but to block up the Thames and the "Severn, to burn Whitehaven, or to bombard Bristol." On hearing of such an harangue, the people of England would look upon their premier as only fit for Bedlam, or the block.

In the alarm of summer, 1798, which succeeded the publication of the bribery dispatches, some field officers of the militia of Bath county presented an address to Mr. Adams. His answer is dated July 21st, and it shews that the present crisis is indeed awful. "More depends "upon Virginia," says he, "in the present moment, than she may be "aware of. It depends upon HER to say whether this country has in it "*a faction to crush, a faction to be humbled in* DUST *and* ASHES, before "the indignant frowns of their injured, insulted and offended country."

Here the question arises of whom does this faction consist? The friends of Mr. Jefferson are unquestionably the first and most prominent objects of indignation. The provocation was indeed very great. They wanted to exclude Mr. Adams from twenty five thousand dollars a year, and from acting a part, though but an humble one, in the hopeful combination against France. Such an example of vengeance as that here announced, would indeed be felt *by us all*; and while the president has schemes like this in agitation, we cannot fail to be alarmed at the prospect before us.

But if we look to Europe there is nothing so terrible in the present appearance of American affairs. The president himself confesses that France has made satisfactory propofals for peace. The marine of the republic is, for the present, almost ruined. By land, French armies have been, for some time fully matched, both in Italy, and upon the German frontier. With so much work upon hand, the republic has not leisure, even if she had inclination, for a war with the United States.

In January, 1799, it was barely possible that an American of common sense might apprehend an invasion of this country by a French army. At present such fears are extinguished. On the 7th of June last, Mr. Windham expressly declared, in the British house of commons, that *the French monarchy must be restored.* Mr. Pitt said something to the same effect. While England speaks in this stile, it is the height of impofture to subject the United States to the expence and insolence of a standing army, under the pretended fear of a French invasion. This establishment affords an excuse for asking large sums of money. The new levies are, with a very few exceptions, as disorderly, and as much detested in the middle states, as the old standing army has long been, upon the frontiers of Tenneffee and of Georgia. "The awful crisis," therefore, to which the minority of delegates refer, does not consist in the probability of an attack from France, but in the desperate ambition of a domestic faction. One principal use of the standing army, proves to be, to bully republican newsprinters. Another is to promote the interest of Mr. Adams, at the next election for president, by the distribution of military commissions. This matter is very well understood. At the last Maryland election for congress, Gabriel Christie, the republican candidate, lost several votes in that way. Promises of preferment were made to some of his friends, and each of these had around him, a

petty circle of followers. But the actual gift of commiſſions was kept back until the election ſhould be over, that the wings of hope might expand themſelves as widely as poſſible. This example is only one out of numbers. The prodigious ſums of money requiſite for ſupporting an army, and a navy, preſent inexhauſtible ſources of patronage and of plunder. Such eſtabliſhments muſt of courſe, plunge the United States into all the corruptions of a Britiſh monarchy.

For theſe and other reaſons, the aſſembly of Virginia reſolved "that "our ſecurity from invaſion, and the force of our militia, render a "ſtanding army *unnecessary*." They were juſtly of opinion that the preſent danger does not conſiſt in the military force of any foreign nation. They conſidered the ſole danger as ariſing from the numerous breaches of the federal conſtitution, to which they have been witneſſes, from the endleſs demands for money to ſupport armies and navies, for which they cannot perceive an honeſt neceſſity, from the multiplication and enormous expence of foreign embaſſies, ſuch as thoſe to Pruſſia and Turkey. The majority obſerve with deteſtation the growing load of ſinecure offices, ſuch as thoſe of commiſſioners at eight dollars per day, excluſive of travelling expences, for treating with Indians. They are ſhocked at the ſwarm of incendiary newſpapers, profeſſedly patronized by government, and which tend only to deceive, exaſperate and divide the people. The majority feel not alarm for invaſion by French fleets, which are blocked up, chaſed or deſtroyed. They fear not devaſtation from French armies; but they feel deep and permanent apprehenſions from the gigantic ſtrides of domeſtic deſpotiſm, from the factious and inſolent charges given to grand juries, from the military riots, and oppreſſive proſecutions excited againſt independent newſprinters. They liſten with horror to the ſentence ſo ſtrangely pronounced, and ſo tyrannically executed upon one of the members of congreſs; becauſe this citizen ſaid that he would not ſupport the preſent adminiſtration, when he conſidered it as *acting wrong*. They regard Mr. Lyon's trial as a poſtſcript, to that of John Hampden. In his perſonal ſufferings, they contemplate the prelude of their own.

On this head it may farther be obſerved that no ſuch indignity or outrage, has been perpetrated upon a member of an Engliſh houſe of commons, ſince the reign of Charles the firſt; and that ſimilar acts of violence were the very worſt meaſures of that execrable tyrant. Yet, the republican party in congreſs did not venture to take the ſmalleſt official notice of this inſult upon their body. Their abject ſilence places them upon a level with the parliaments of the ſixteenth century. England has not, for the laſt two hundred years, been diſgraced by the meeting of any legiſlature that without remonſtrance, would have endured ſuch a deciſion. Put the caſe that Mr. Sheridan ſhall write a letter to a friend, wherein he declares that he will not ſupport an Engliſh miniſtry when he conſiders their meaſures as culpable. An Engliſh attorney general durſt not found an indictment upon ſuch a letter; nor does England contain twelve men who durſt find Mr. Sheridan guilty. The dumb ſubmiſſion of the American minority was to the laſt degree deſpicable. It amounted, upon their part, to a ratification of the ſentence.

On this miſerable emergency, there was juſt one member of con-

greſs, and *not a second*, who behaved with Spartan firmneſs and dignity. Stevens Thomſon Maſon came inſtantly and ſingly forward to ſtigmatize the deformity and tyranny of Patterſon's deciſion. The approbation which Mr. Adams has beſtowed upon this act of deſpotiſm preſents, of itſelf, a cogent reaſon for diſcharging him from an office which both his paſſions and his judgment, both his practice and his principles, have ſo exceedingly diſgraced. If ſenſe and truth are criminal, the whole offences of Mr. Lyon taken together, do not approach to the guilt of general Maſon's admirable letter. If government had pretended to conſiſtency, the ſenator of Virginia ſhould have been proſecuted as well as the repreſentative of Vermont.

The preamble to the counter addreſs of the minority betrays the genuine ſpirit of the ſedition act. After ſtating the awfulneſs of the criſis, this party condemn the aſſembly for having publiſhed their appeal to the citizens of Virginia. They ſay that this meaſure is "outraging the "rules of the legiſlature, and derogating from the diſcernment of their "conſtituents, by a laboured detail of the reaſons which induced the "legiſlative adoption of the reſolutions." All this is directly the reverſe of the plaineſt common ſenſe. By an expreſs appeal to the people, the majority paid the higheſt compliment to popular diſcernment. In effect, they ſpeak thus: "fellow citizens! you deſired us to paſs laws "for you, But the times are critical; and we are anxious to make "you as well acquainted as poſſible with your own buſineſs. For that "end, we publiſh a ſummary of our opinions; and we ſubmit them to "your ſuperior judgment."

The minority deſire, it ſeems, to ſtop up the ears, as their friends have already tried to muzzle the lips of mankind. They wiſh, but vainly wiſh, to reduce a lively and intelligent people to the gloomy ſilence of an oriental haram. The minority here advance the old and deteſtable doctrine of concealment, by which, from April 1789, till December 1796, the ſenate of congreſs kept their doors bolted.

The minority commence their counter-appeal with a ſuperficial and partial review of the hiſtory of the federal government. It would be endleſs to contradict every miſrepreſentation which they make. But a few leading paſſages ſhall be extracted and examined. Of the notable proclamation of neutrality, the minority ſpeak in the following lofty ſtile.

"The preſident of the United States, a citizen the moſt tried, and "the moſt beloved, weighing all the difficulties to which our relation to "the belligerent powers expoſed us, promulgated by proclamation the ex-"iſting ſtate of things, and warned his fellow citizens of the pernicious "conſequences which would follow the dereliction of their neutral "condition. An adherence to this ſituation was enjoined by law, and "approved by the general plaudits of our country."

This proclamation has been defended on the moſt abſurd grounds. It was a meaſure of the greateſt importance. It was the ſeed-bed from which hath ſprung the ſucceeding harveſt of our maritime misfortunes. I ſhall, on that account, endeavour to place the tranſaction in a clear and convincing point of view. This paper was publiſhed by Mr. Waſhington, on April 22d, 1793. It had theſe words: "whoſoever of the "citizens of the United States ſhall render himſelf liable to puniſh-

" ment, or forfeiture, under the law of nations, by commiting, aiding, " or abetting hoſtilities againſt any of the ſaid powers, or by carrying to " any of them thoſe articles, which are deemed contraband by the " modern uſage of nations, will not receive the protection of the Uni- " ted States." The preſident adds, that he had ordered the proper officers to proſecute ſuch offenders.

On this head, I ſhall endeavour to prove three points.

First; the proclamation broke through two exiſting treaties with France.

Second; it violated that very law of nations which it affected to defend.

Third; admitting that this ſtep was in itſelf ſtrictly proper, the preſident had not authority for taking it.

I. I begin with the French treaties. By the eleventh article of the defenſive alliance between France and the United States, each party guarantees to the other, their reſpective dominions in America, as they were to exiſt at the peace, which afterwards took place in 1783. Hence, when the war of 1793 broke out between France and England, the republic was authoriſed to demand the aid of this country, She did not do ſo; but ſtill if individuals choſe to enliſt in her ſervice, it ſeemed very hard to hinder them from doing as for themſelves, what the nation at large was legally bound to do.

Pacificus, alias Mr. Hamilton, defended the proclamation in a ſeries of newſpaper eſſays. Nerveleſs, drawling, ſophiſtical, he has ſeldom appeared to leſs advantage than in this performance. He argued that America was not bound to fulfil her guarantee to France, becauſe the treaty of alliance had been made with the king of France and his ſucceſſors only, and of courſe expired with the monarchy. But this argument proved *too much*; for by the ſame reaſoning, all the other treaties, or conventions with France, muſt have periſhed at one time. Yet with the wildeſt abſurdity, Mr. Hamilton, and his friends, complained of French *perfidy*; whereas if America was not bound to obſerve her obligations towards France, it is equally clear that the diſſolution muſt have been reciprocal. In this ſtate of things, France was no longer bound in obligations towards America. If faith was mutually extinguiſhed, it was ridiculous for either party to upbraid the other with a breach of treaties, which had been buried under the ruins of the French throne.

The argument of Pacificus involves ſuch extravagant conſequences, that it cannot be ſupported. The federal government has always acknowledged the exiſtence of the treaties with France. They were formally diſſolved by an act of congreſs of the 7th of July, 1798.

A second reaſon was advanced by Mr. Hamilton for not ſupporting the guarantee of the French dominions in America. He alledged that, in her war with England, the republic was the aggreſſor. The aſſertion was utterly falſe; but even if it had been true, this afforded no pretence for the United States to refuſe their guarantee. The treaty is couched in poſitive terms, without one word of qualification, or exception.

But there was a third and ſatisfactory reaſon why the United States were not bound to fulfil this guarantee. The republic did not require

the execution of it. Yet the forbearance to enforce a right does not destroy it. The American government itself being thus under stipulations of the most solemn nature to guarantee the French dominions in America, the proclamation of neutrality, in so far as it respected France, was ungracious, ungrateful, and substantially unjust. This paper prohibited private citizens from enlisting in the service of the republic, although the nation collectively was pledged to come into that service, if called upon for such a purpose.

Instead of assisting France, America did her a most essential mischief, by supplying with provisions the British colonies and armies in the West-Indies. Without such supplies, these armies and colonies could not possibly have subsisted; and famine would have made England as pacific in 1793, as the same cause had rendered France in 1748. This has been fully explained and established in the history of 1796. There is no other market, excepting the United States, from whence the British in the West-Indies can derive subsistence.

The above observations establish this conclusion, that when the president prohibited private citizens from enlisting in the French service, he violated the true intent and meaning of the treaty of alliance. His prohibition of carrying *articles which are contraband by the modern usage of nations*, was a breach equally palpable of the commercial treaty with France. This instrument had placed the commerce between that republic and the United States upon the most free and liberal footing. At a critical moment, Mr. Washington interposed to break it up. I shall not, under this first head, examine his constitutional authority; because whether he acted by himself alone, or by congress collectively, it must have been a perfidious desertion. Let us now put the case that a French governor of Guadaloupe runs short of powder, and that he is threatened with an attack from England. He has read the treaty between France and this country; and he dispatches a vessel for ammunition to the United States. At this most precious of all junctures, his agents are told that the treaty has been suspended; that they cannot get leave to buy an ounce of powder; and that, if any citizen shall be detected in supplying them, he will be prosecuted by government.

An American may disguise this affair as much as he can. He may try to choak the honest feelings of nature, and the indignant voice of common sense. But when an impartial observer investigates the proclamation of neutrality from this point of view, he cannot help regarding it as an act of atrocious treachery. The framers of the commercial treaty had foreseen and provided for the possibility of a war between France and other powers of Europe. The stipulations on this head were as comprehensive and accurate as the combined wisdom of France and America could make them. Instead of leaving the instrument to feel its own weight, and to rest upon its own basis, Mr. Washington thrust himself into the midst of that solemn transaction, and plunged a dagger through its heart. If the object of the president was to hold up this country to the abhorrence of France, and the contempt of England, he could not have devised a more effectual measure than his boasted proclamation of neutrality. But long before this period, the character of the American cabinet had begun to be understood. Webster

and Fenno had railed at the French revolution from its very commencement; and it was well known that they were the mere puppets of the faction which then held and ſtill continues to hold the reins of the federal government.

II. Having explained the flagrant breach of the two French treaties, I proceed to prove the ſecond point, to wit, that the preſident, by his proclamation of neutrality, did not ſupport the law of nations, but that he broke it.

By the univerſal practice of Europe, every private man is at liberty to enliſt himſelf in the military ſervice of any foreign nation, providing that *he does not engage with a government which is at actual war with his native country*. In Europe, this truth is ſo well eſtabliſhed that an attempt to prove it would, in that part of the world, be held as a very ſuperfluous undertaking. An oppoſite opinion has been maintained in the United States. It has been affirmed that an American citizen, by entering into the French navy, brought his country into the hazard of a war with England, Spain, and Holland. That this wild opinion may never be ſtarted again, attention is requeſted to the following facts.

The Swiſs have been in the habit, for ſeveral centuries, of hiring out their troops to any foreign power, and this cuſtom has never embroiled them with their neighbours. In the reign of Charles the fifth, the cantons had, upon one occaſion, troops in the ſervice of the two oppoſite armies of the emperor and the king of France, both at the ſame time. Yet this did not produce a quarrel with either party. On the contrary, they were courted. If the Swiſs cantons might hire ten thouſand men to France without offending a nation at war with her, aſſuredly the United States of America may do the ſame thing, unleſs our national independence is of a nature inferior to theirs. For ſeveral ages, the kings of France maintained a body of Scots guards; but this was never held up as the pretence for an Engliſh declaration of war againſt Scotland. The king of Pruſſia relates that, on ſucceeding his father, he found a ſtanding army of ſeventy eight thouſand troops, of whom one third were foreigners. It would have been a ſtrange affair if an Auſtrian court martial had attempted to hang every Saxon, Pole, or Frenchman, who might be found among Pruſſian priſoners. It would have been yet more ſurpriſing, if the capture of ſuch perſons had been made the baſis of a war between a German emperor and a Saxon elector.

In the war of 1767, between Turkey and Ruſſia, England was at peace with both of theſe governments; yet ſhe permitted Elphinſtone, a Scots officer, to command the Ruſſian fleet, which attacked the Archipelago. He was accompanied by other Britiſh journeymen butchers; and ſmall progreſs could have been made without them. In the late war between Ruſſia and Sweden, Greig, a ſecond Scotſman, was at the head of the Ruſſian navy; while ſir Sydney Smith ſerved on board of the Swediſh fleet, and, for his bravery, was knighted by the king of Sweden. During the latter of theſe two wars, England was on the point of attacking Ruſſia. She did not, however, attempt to recall Greig; nor did either Sweden or Turkey affect to complain of England, for permitting Elphinſtone and Greig ſucceſſively to com-

mand and to conquer. It was not underſtood that theſe officers, by entering into foreign ſervice, forfeited any part of their rights, as ſubjects of Britain. While a Scotſman was attempting to force the paſſage of the Dardanelles, Baron de Tott, a French ambaſſador, was teaching the Turks how to defend them. When Fayette, Pulaſki, and baron Steuben, fought for the United States, nobody ſuppoſed that ſuch petty circumſtances gave Britain a right of declaring war againſt France, Poland, or Pruſſia. At this rate, and with the pureſt and moſt amicable intentions, there is not a nation upon earth which could be certain of living in peace, even for a ſingle day. Any vagabond diſpoſed to cut throats, could, upon this doctrine, involve his country in the riſk of a foreign war. The twenty firſt article of the treaty of commerce between France and America prohibits an American from taking a commiſſion of letters of marque in the ſervice of a third power, to cruiſe againſt France. The ſame prohibition with regard to American commerce is impoſed upon the French. But no reſtraint is attempted as to the admiſſion into navies and armies; nor, except as to captains, even in the manning of privateers.

It is needleſs to multiply farther evidences of the abſurdity of the preſident's manifeſto, in ſo far as it reſpects the law of nations. Its principle has been expreſsly negatived by an American lawyer of the firſt eminence. "Neither the laws of nations," ſays Mr. Dallas, "nor "our municipal conſtitution, and laws, prohibited our citizens from "going to another country, and there, either for the ſake of honor, "reward, or inſtruction, ſerving in a foreign navy or army."*

The facts above recited, prove, beyond all contradiction, that, by the practice of nations, an American ſailor might have entered into the French navy without incurring any penalty or forfeiture. If the king of Sweden had made a priſoner of Greig, he would not have attempted to puniſh that officer as a traitor. If the Ruſſians had taken Smith, he would have been as well treated, as if he had been a native of Sweden. If count Saxe had been captured at Fontenoy, or marſhal Keith at Hochkirchen, it is not ſuſpected that the one would have been puniſhed for treaſon, as a Pole, or the other as a Scotſman. Such abſurdities were reſerved for the corrupted heart and the hardened front of Mr. Waſhington's preceptor.

The proclamation of neutrality does not, therefore, deſerve that title. It was a proclamation of ignorance and puſillanimity. This impudent lampoon told the whole world that the federal government refuſed to its citizens that freedom of adventure, and that latitude of protection, which are granted by every other government to the perſons who live under its authority. It was at once diverting and melancholy to hear an American preſident advertiſing that he would proſecute his fellow citizens for breaking the ſmuggling laws of foreign nations. He might have left that taſk to thoſe nations themſelves.

The clamour of applauſe which met this proclamation, aroſe from pacific motives. But it betrayed in ſome people the ardour of their attachment to England, and in others their total unacquaintance with

NOTE.

* *Features of Jay's treaty, part 5th, section 7th.*

the uſages of Europe. The paper might have been defenſible if it had aimed only to hinder large bodies of armed men from aſſembling, within the United States, with a deſign to attack St. Domingo, or Canada. If admiral Greig had bought a ſhip of the line at Portſmouth, and if he had beat up for ſailors to man her, with the profeſſed deſign of bombarding Gottenburg, the Swediſh envoy at London would have interpoſed, and his operations muſt have been ſtopt. But the preſident went much farther. He ſtruck at the inviolable right of emigration poſſeſſed by individuals. A few weeks after the appearance of his manifeſto, Gideon Henfield, and John Singletary, two American mariners, were arreſted in the Delaware, on board of a French privateer. They had entered as officers with her captain. Genet complained. Mr. Randolph, then attorney general replied. He ſaid, that Henfield had, by this enliſtment, violated, as far as in him lay, the treaties of peace between Spain, England, Holland and America. Singletary ſtood on the ſame ground. Unqueſtionably, the attorney general did not expreſs his real opinion; but like other lawyers, he was obliged to do his beſt for his client. In the ſame manner the name of Mr. Jefferſon, as ſecretary of ſtate, appears at the bottom of the proclamation of neutrality; but we muſt not from thence infer that he approved of it. He was as anxious as any man could be to preſerve the peace of his country; but he did not believe that this proclamation was the proper way for its ſecurity. The ſequel has juſtified his opinion.

The propoſal to puniſh an American citizen for having entered into the French ſervice, excited much indignation. The ſervices of France, during the laſt war, were not yet forgotten. Many perſons who had, upon theory, approved of the proclamation, could not bear to think of its being reduced to practice. Henfield was ſoon after tried at Philadelphia. The day of his trial was a day of ſuſpence and ſolicitude to the citizens. To the great mortification of the court, and the ariſtocrats, he was acquitted by the jury. Their verdict formed a ſource of very general exultation. Singletary was, not long after, diſmiſſed without farther notice.

III. It has now been aſcertained that this proclamation broke our treaties with France, and that it violated the natural and indefeaſible rights of mankind, as well as the practice and the law of nations. The third objection to its legality, is that the preſident had no title to interfere with the queſtion. It was only his buſineſs to have aſſembled congreſs. The proclamation amounted to a right of ſuſpending treaties, and there is not a word in the conſtitution which entruſts the preſident with that power. Neither has it given him authority for defining what are the rights of a citizen with reſpect to enliſtment in the ſervice of a foreign nation.

The quibbling ſtile in which Mr. Waſhington himſelf ſpoke of this proclamation, diſcovered that he was conſcious of having exceeded his lawful powers. In December, 1793, congreſs met, and he mentions the proclamation in the following remarkable terms. "It *seemed* "therefore to be my duty, to admoniſh our citizens of the conſequence "of a contraband trade, and of hoſtile acts to any of the parties; and "to obtain, by a declaration of the exiſting legal ſtate of things, an "*easier admission* of our rights to the immunities, belonging to our

" situation. Under theſe impreſſions, the proclamation, which will " be laid before you, was iſſued.

" In this poſture of affairs, both new and delicate, I reſolved to adopt " general rules, which ſhould conform to the treaties, and aſſert the " privileges of the United States."

Almost every ſentence of this whole ſpeech deſerves contradiction; but we ſhall principally confine ourſelves to the above paſſage.

The applauſe with which the proclamation met, aroſe from the commendable deſire of preſerving peace; but this applauſe betrayed the ſtriking unacquaintance of the people at large, with regard to the exiſting practice of the laws of nations in Europe. America was induſtriouſly deceived into the belief that this proclamation was infallibly to prevent a foreign war. As for *the conſequences of a contraband trade*, the ſequel hath ſhewn that the preſident was egregiouſly wrong in his inferences. France and England have ſeized many hundreds of American ſhips upon an accuſation of ſmuggling; but it has never been ſuſpected, that theſe nations would conſider this intruſion as a pretence for regular hoſtilities. If a ſmuggling veſſel ſhall be armed in the United States for the purpoſe of forcing an illicit trade with France, or the Britiſh empire, any other nation which thinks itſelf aggrieved will capture and confiſcate her. But if the equipment has been made without aſſiſtance from the federal government, the latter cannot be conſidered as, in any ſhape, accountable for ſuch proceedings.

With reſpect to the *hoſtile acts* of which Mr. Waſhington has alſo taken notice, and which, as he fancies, might produce a foreign war, this is another topmaſt of abſurdity. *The enliſtment of the individuals of a neutral nation in the ſervice of any belligerent power* is a practice univerſally admitted and authoriſed. The court of London, with all its *matchleſs intrepidity of face*,* could hardly complain of a cuſtom indulged in every part of Europe. But this point I have already fixed by a ſeries of facts that ſuperſede the need of all farther reaſoning.

The preſident then mentions to congreſs the proclamation, as fitted for obtaining " an *eaſier admiſſion* of our rights to the immunities be- " longing to our ſituation." We have obtained juſt ſuch an *admiſſion* as might have been expected. The flagrant, unprovoked and precipitate deſertion of France produced its natural and deſerved conſequences. Hiſtory does not record, and imagination cannot invent a more complete and finiſhed picture of maritime ignominy than that which America has, for the laſt ſix years, exhibited to the pity and the ſcorn of Europe. During that whole time, our ariſtocracy have been making awkward but humble advances for admiſſion to habits of confidence with the kings of Europe. This far-famed manifeſto was like the firſt ſtep in that minuet of humility. The Britiſh and ſtock-jobbing faction well knew that they could not, for any conſiderable time, hold their places in the government of America without the countenance of England. Their party in the ſeaport towns, in Boſton, for inſtance, in Charleſton, in New-York, Baltimore and Philadelphia, is chiefly ſupported by Britiſh merchants, by the agents of Britiſh houſes in this

NOTE.

* *A line from Churchill.*

country, or by American adventurers, whose credit and importance in life depend on the continuation of peace with England. The court of London is conscious of its ascendency, and accordingly treats our master-servants exactly as it thinks proper; while the latter, for the sake of preserving their power, are obliged, through all sorts of sallehood and infamy, to vindicate England, and to revile France. We proceed with the speech of the president.

"I resolved," says he, "to adopt general rules, which should conform to the treaties, and assert the privileges of the United States." These are hardy affirmations; for as to treaties, it is certain, and it has been already proved, that Mr. Washington broke through the whole intention and spirit of those with France. With regard to the *assertion of privileges*, the indiscretion and insolence of Genet, afforded room for disputing with him; and in this contest, the federal cabinet borrowed a momentary splendor from the possession of Mr. Jefferson's talents. But this speech has a chasm that completely unmasks the scandalous hypocrisy of Washington; and that shews in what way he was likely to assert the privileges of his country. Through the whole summer of 1793, the British had filled the Atlantic with barbarous piracies on American commerce. The speech *has not one syllable upon this subject!*

When the violent contest between Wilkes and Luttrel filled England with uproar, a multitude of addresses were presented to George the third. In his next speech to parliament, the king avoided all notice of them. His silence was resented by the popular party as a studied insult; and the voice of indignation resounded through every parish from Tweed to the land's end. But Americans have seldom, or perhaps never been heard to complain of this omission in the speech of Mr. Washington, though the latter was, by a thousand degrees, more unpardonable than the former. It is a mortifying, but a certain fact, that the sense of political freedom, and of national dignity, rises upon a medium, infinitely higher among the subjects of Britain than the citizens of America. This assertion will be confirmed by the testimony of every candid and intelligent man, who has enjoyed an opportunity of residing in England. Suppose, for example, that France, or Spain were, in the midst of profound peace, to turn loose on the commerce of England, two hundred corsairs, and to act even an hundredth part of those enormities on English navigation, which, in summer 1793, were committed upon the shipping of the United States. Every ploughman, every footman in Britain, would feel that injury, like an arrow barbed in his vitals. No premier, in manufacturing the next royal speech for parliament, would dare to forget a statement of this indignity. An oversight so abject would send him to perdition. Again. If such corsairs were to impress an English sailor, and were this man to escape by killing his oppressors, the people of England would not suffer him to be sent back like Jonathan Robbins, to be hanged as a criminal, at a French yard arm. They order these things better, in Liverpool, and Portsmouth.

On this head we cannot discover a distinction between the fraternal characters of the first and second president. Mr. Adams has only completed the scene of ignominy which Mr. Washington began. The tame

ſubmiſſion of 1799 to the Britiſh blockade of Holland, rivals the preſidential oblivion of the piracies of 1793. Henfield, as well as Robbins, would have been tranſmitted to the gibbet, if the temper of the times had been found capable of enduring that enormity. The nomination of Ellſworth as an ambaſſador to France is a prompt and ſucceſsful imitation of the choice of Jay; and a certain expedient for corrupting the courts of juſtice. The exceſſes of the federal troops in Northampton are inferior in number, but equal in atrocity, to thoſe of the weſtern exciſe army.* The *duſt* and *aſhes* denunciation of Virginia ſeems to be copied from Hamilton's ejaculations for the burning of Pittſburgh.† The expedition of St. Clair, as well as that of 1794, was projected during the receſs of congreſs. The expences of each army were ſucceſſively abſtracted from the treaſury by Mr. Waſhington, without the ſanction of a ſtatute, and in expreſs breach of the conſtitution. In both inſtances, Mr. Waſhington diſdained to make an apology for this violation of his duty; and in both, congreſs were too mean to demand it. The charges of the recent tour to Northampton muſt have been obtained in the ſame way, becauſe congreſs were not in ſeſſion when that affray broke out. This laſt preſidential felony will be buried by congreſs in the ſame criminal ſilence as its predeceſſors.

But though Mr. Waſhington had not leiſure to mention Britiſh piracies, he expatiated, with his wonted complacency, on the progreſs of his friendſhip with the Creeks and Cherokees. Obſerve his own words. "An anxiety has been alſo demonſtrated by the executive for peace "with the Creeks and Cherokees. The former have been relieved with "corn and with cloathing, and offenſive meaſures againſt them prohib-"ited during the receſs of congreſs." From this paſſage it appears that the United States were, at that time, carrying on a war with theſe tribes. And here the preſident comes forward boaſting that he had ſupplied the Creeks with food and cloaths. In other words, he ſupplied the enemies of his country, ſavages who were in arms againſt her, and who, as faſt as they could, were extirpating his conſtituents. At the ſame time, he would not permit the French to receive ſupplies, although the United States were bound by treaty to grant them; and although ſuch ſupplies had been paid for before hand by money lent to this country in the hour of her diſtreſs. It has been a ſteady principle with the leaders of the ſix per cent faction, to check, as much as they decently can, the march of population into the weſtern wilderneſs.—They would rejoice to hear of the utter deſolation of the ſtates of Tenneſſee and Kentucky. The whole tenor of their laws, of their ſpeeches in congreſs, and of their conduct, proves this to be the caſe. Foremoſt in whatever is deteſtable, Mr. Adams feels anxiety to curb the frontier population.‡

The anſwers from congreſs to this ſpeech were, as uſual, pitiful echoes. To have mentioned one word of the ruin of our merchants, or the impreſſment of our ſeament, would have been conſidered as the height of rudeneſs. This ſilence betrays the laſt degree of meanneſs

NOTES.

* *Sketches of the hiſtory of America, Chapter* VI. & VII.

† *See the Hiſtory of* 1796. ‡ *Supra. Chap.* IV.

and fycophancy. When people chuſe to ſet up a political idol, it is proper that they ſhould fall down and worſhip it.

To conclude, Mr. Waſhington has not, in his ſpeech to congreſs, ſtated his authority for publiſhing this proclamation. He neither quotes the law by which he was directed, nor does he appeal to the conſtitution. He leaves all this to be inferred as his opinion. His manifeſto amounts to the prerogative of ſuſpending, and even of annulling treaties, without the ceremony of conſulting congreſs. Setting aſide, therefore, its groſs ingratitude and perfidy towards France, this proclamation was, in every point of view, an act of the moſt audacious uſurpation and deſpotiſm. The republican party deteſted ſuch a meaſure; and their cowardly acquieſcence under its yoke renders them entirely as exceptionable as Mr. Waſhington himſelf.

I HAVE now eſtabliſhed thoſe three poſitions, which had been laid down. I. That the manifeſto violated the two treaties with France. II. That it broke through the law of nations, and the indefeaſible rights of mankind. III. That, whether it had been right or wrong, the preſident acted in defiance of legal authority, I have been the more particular upon this part of American hiſtory becauſe it is of fundamental importance, and becauſe it ſeems to have been univerſally miſunderſtood; or at leaſt I have never met with a ſatisfactory explanation of it. The faction are in the habit of appealing to this proclamation, as a meaſure of unqueſtionable propriety. On the other hand, our hen-hearted republican orators, and writers, are afraid of committing themſelves by condemning a meaſure that has been ſealed with the inviolable name of Mr. Waſhington.

CHAPTER VII.

The ſame ſubject continued.

NOTHING in our treaties with France could have authoriſed a declaration of war by England, unleſs the republic had required the execution of the guarantee of her Weſt-Indian territories. And as no ſuch requiſition was ever made by France, America was never brought into danger by it.

THE true purpoſe of the proclamation was *to prevent American ſailors from enliſting in the French navy;* and *to caſt as much odium as poſſible upon the French revolution.*

THE preſident, "a citizen the moſt tried, and the moſt beloved,"* has indeed officially declared that "the events of the French revolution "have produced the deepeſt ſolicitude, as well as the higheſt admira-"tion;" and that "theſe glorious events" met with his "ſincere con-"gratulations."† But unfortunately, there is not one man in America that believes, or that almoſt ever did believe the ſincerity of his aſſer-

NOTES.

* *Vide the counter address.*

† *Letter to congress, on the presenting of the French flag.*

tion. Mr. Washington entertained a primitive and inflexible hatred for the French revolution, in all its principles, and in all its circumstances. This hatred broke out at the same time in other measures, as well as in the proclamation of neutrality. This we shall immediately perceive in returning to the counter address. Of Genet the minority speak as follows.

"A foreign minister's contumelious appeal from the acts of government to the people, whose honor and comfort alike commanded their "support of that government, was maintained with affection to the "foreign agent, and with acrimony against the constituted authorities "of the nation. The subject became familiar to the whole people; "and their voice spontaneously uttered, sunk into temporary and contemptuous oblivion, the abettors of this wicked effort. Smothered "for a while only, the unextinguished fire rekindled, as occasion afforded."

In ordinary cases, before a fire can be rekindled, it must first have been *put out*. But here we have the rekindling of a fire which had never been extinguished. This passage conveys, in every line, a vile misrepresentation. The minority are requested to tell, if they can, to what *acts of government* they refer, upon what occasion this *contumelious appeal* was made, to what audience it was addressed, and in what language it was written? If they are able to answer these queries to the satisfaction of a single rational being, I shall surrender the whole question. But the truth is that neither any such acts, nor any such appeal, ever had an existence. The total sum of the accusation is a fiction as wild and palpable, as the voyages of Gulliver, or the battles of Don Quixote. If one word of testimony could have been produced in support of this charge, that word would long since have echoed, for a million of times, through every key in the gamut of the party. By conjuring up, at the distance of almost six years, this contemptible fiction, the minority demonstrate the non-entity of their information, or the defiance in which they hold, the understandings, and even the memories of the people of America. The molehill upon which this mountain has been erected, was shortly as follows.

In May, 1793, Genet arrived at Philadelphia, as an ambassador from the French republic. He was a man of some abilities; but he wanted discretion. His instructions have since been printed by himself. They breathe a spirit of manly confidence, and of unsuspecting integrity.—They were tinctured with that liberal enthusiasm, which, to a cold suspicious mind, alternately presents itself as the most formidable of all virtues, and the most inexpiable of all crimes. This tone of the dispatches was possibly an affectation; yet it must be observed that Genet was the agent of the Brissotine party, and that this was by far the most respectable groupe of leaders which has hitherto governed France.—The manners and conduct of Genet harmonized with the feelings and expectations of those who sent him.

In the dark and jealous soul of the late secretary of the treasury, the American cabinet presented an irreconcileable reverse. The hideous vindication of himself, which this man has printed, supersedes all enquiries into the rectitude of his character. In the convention of 1787, he, and some other conspirators, had planned the foundation of an A-

merican monarchy. Their ſyſtem has lately been expoſed to the world,* and one of Hamilton's confidential printers† has admitted of its authenticity. A deſign ſo hateful ſhould have debarred him from the confidence of the new government. He is the firſt and only favorite, that General Waſhington ever had. He became inſtantly dictator of the federal adminiſtration. On every queſtion before congreſs, he vanquiſhed the Virginian Repreſentatives. In ſpite of them, he ſwelled the national debt to a diſtempered and ſwindling magnitude. In ſpite of them, and of his oath as a citizen, he eſtabliſhed a new national bank, which acted under the controul of his minions in Congreſs, and which was, in ſubſtance, the cellar ſtory of the ſtock-jobbing fabric. For the ſake of raiſing a ſtanding army, as the firſt ſtep in the ladder of deſpotiſm, he wantonly provoked a war with the North Weſtern Savages. To ſupport it, he abſtracted from the treaſury, without permiſſion from congreſs, and in contempt of the conſtitution, ſome hundred thouſands of dollars. Hamilton has never, in private converſation, pretended to deny his invincible averſion to a Republican government. As a neceſſary conſequence, he has on every occaſion, right or wrong, eſpouſed the Britiſh intereſt. He has never attempted to conceal his inveterate abhorrence of the entire French revolution, from one end to the other. He foretold that the new government of France would not laſt for ſix weeks. Since the firſt dawn of the revolution, ſome proſtituted newſprinters, under his direction, had inceſſantly calumniated the French nation. Profligate and inſolent in his private manners, but plauſible and deliberate in his financial projects, an Ariſtocrat from the dictates of his underſtanding, as well as from the views of his ambition, this man had then obtained, and ſtill ſeems to poſſeſs an almoſt abſolute aſcendancy over our public councils.

In the eye of ſuch a man, it was not poſſible that Genet could act without giving offence. The news of his arrival in America was, to Hamilton, as a ſignal for lighting the torch of diſcord between France and this country. Before the French envoy had time to have acted wrong, or indeed to have diſplayed any features of his future proceedings, the ſecretary had determined to ſubvert the purpoſes of his miſſion. A few dates will aſcertain the preciſion of this idea. Genet landed at Charleſton (S. C.) on April 8th, 1793. On the 18th, only ten days after his arrival, the Preſident ſent to the three heads of departments a circular letter. He incloſed thirteen queries. They tended to enquire what kind of conduct ſhould be obſerved with reſpect to France. They demonſtrate beyond all contradiction, the hoſtile feelings of their author, Mr. Hamilton. The ſecond, and the twelfth queſtions, are among the moſt remarkable. They are as follows.

II. "Shall a miniſter from France be received?

XII. "Should the *future*‡ regent of France ſend a miniſter to the "United States, ought he to be received?"

It was rather too late to be deciding ſuch points, after Genet had

NOTE.

* *Sketches of the hiſtory of America, Chap.* IV.

† *The late John Fenno, Vid. Gazette of the United States.*

‡ *The meaning of this word here is not obvious, unleſs the ſecretary contemplated, as a* certain proſpect, *the future reſtoration of the monarchy.*

actually landed in this country. Notwithstanding the offensive behaviour of Morris at Paris, the French had not offered to send him back again. To refuse Genet, therefore, would have been an act of rudeness, as well as absurdity. It was sure to have produced an immediate rupture with France, and a general attack from her privateers, which were then both numerous and successful. It was to extinguish at once our whole commerce with France, or at best to place it on the most precarious footing. It was to produce one of the greatest possible evils, without so much as the chance, or pretence, of its being to produce the smallest possible advantage. And all this destruction was to be courted for the sake of insulting the young republic, for the sake of squeezing America into the tail of the conspiracy of Pilnitz. A navy would instantly have been wanted; and the public debt must, by this time, have extended to three or four hundred millions of dollars. Much has been said of Hamilton's political wisdom. But the very idea of such a rejection looked like perfect lunacy. Considering what tyrants at that time governed France,* and the extreme impertinence on our part of such a refusal, the first news to be expected was an universal seizure and confiscation of American property, to the utter ruin of many thousands. As Mr. Hamilton has defended himself *with such surprising success*, against the imputation of paper-jobbing, we cannot suspect that he wrote these wild queries under the impression of a British bribe. The only alternative then is to suppose that they were the pure dictates of ignorance, of stupidity, and of enthusiasm in favor of royalty.

And here, by the way, it ought to be observed that the conduct of the president was, upon this occasion, widely unconstitutional. He is authorised to "receive ambassadors," but not to *refuse* them. If he had the power of refusal, it would come to the very same thing as *a right of declaring war*.

These questions do not even hint that France had, in any point, broke the treaties between her and America. Not a word appears concerning embargoes, legal adjudications, or any sort of maritime felony whatever. If such outrages had been heard of, they would most certainly have been brought forward. Indeed the neglect of such an exhibition of French piracies must have been very culpable. The circular letter which inclosed the thirteen questions begins thus:

"SIR,

"The posture of affairs in Europe, particularly *between France and Great Britain*, places the United States in a delicate situation." The president then refers to the queries, and desires the gentlemen to form opinions. But he says not a word of the treaties having been violated by France; and such being the admitted innocence of the republic, it is hard to perceive an honest reason why the United States ought to have set the first example of infraction.

The fourth of these thirteen questions clearly proves that France

NOTE.

* *The chiefs of this party were arrested on the 31st of May, 1793, by the faction of Robespierre. They were beheaded, on the 30th of October following.*

was not even ſuſpected of a deſign to break the good underſtanding which then ſubſiſted between her and America. The words of the queſtion are theſe: "are the United States obliged by good faith to "conſider the treaties heretofore made with France, as applying to the "preſent ſituation of the parties? May they renounce them, or hold "them ſuſpended," [which was the very ſame thing as renouncing them,] "till the government of France ſhall be eſtabliſhed?"

THE treaties were conſidered as in themſelves beneficial to both parties. The obſervance of them, therefore, on our ſide was a matter of intereſt. We had no concern by whom France was governed, providing that the ſtrongeſt party gave no cauſe of offence to the United States. The word *eſtabliſhed* in the cloſe of the queſtion, ſeems to be founded upon the ſilly conceit that the French monarchy was to be reſtored. All this demonſtrates the utter infatuation of Hamilton, and the gulph of deſtruction into which this country was on the point of plunging.

THE heads of departments thus conſulted, were directed to meet next morning, April 19th, 1793, at the preſident's houſe, to deliver their opinions. Hamilton was anxious for refuſing to receive Genet. The influence of Jefferſon with the preſident was ſubordinate, but not extinguiſhed; and to that benefactor of America this country ſtands indebted for having, at that period, eſcaped from *an immediate rupture with France*. When the directory refuſed to receive Pinckney, they pretended at leaſt to have received ſome provocation. But Hamilton wanted to reject Genet, without any pretence of that nature. The guilt of having quarrelled with England is the only circumſtance which Mr. Waſhington ſpecifies in his letter, as the cauſe of theſe thirteen queſtions. He had no title to put them, and his ſecretaries had none to anſwer them.

THE proclamation of neutrality appeared on April 22d, and whether right or otherwiſe, was regarded as betraying ſymptoms not favourable to France. At the date of the queries, and of the proclamation, Genet could not be charged by Mr. Waſhington with acting improperly, becauſe it was not known in what way he had conducted himſelf. The reſult of an impartial obſervation muſt be, that Hamilton was previouſly determined to embrace the firſt opportunity which fortune ſhould preſent, for undermining the reputation of the French envoy, and the intereſt of the French republic.

GENET reached Philadelphia, on May 16th, 1793. His impetuoſity had been raiſed to the higheſt pitch by the tumult of welcome, with which he was univerſally ſaluted. He wanted prudence to ſee that ſo much noiſe about a foreign envoy, whoſe credentials had not yet been recognized, was ſure of being at beſt unpleaſing to the chief magiſtrate. He might well have foreſeen that an exceſs of popularity in one quarter was of itſelf, to render him unacceptable in another. He forgot the modeſty which becomes a ſtranger, and the circumſpection required from an ambaſſador. He forgot, for he muſt have known, that England retained, in the ſea-port towns, a powerful and inflexible body of friends; and that although they might bend to the current of the day, they were ſtill to be regarded as dangerous enemies. Genet overlooked all this. From his firſt landing, he aſſumed various liberties that

caution will not juſtify. He acted preciſely as his enemies would have deſired. He ruſhed headlong over the precipice that yawned beneath him.

A SHORT reſidence in Philadelphia convinced Genet that Americans, like the reſt of mankind, were ſplit into parties; and he could perceive that he was not agreeable to that party in whom the preſident placed his excluſive confidence. He gave way to fretfulneſs and impatience. His adverſaries were anxious to ſeize the firſt opportunity for turning the ſtream of popularity againſt him; and mutual miſunderſtandings multiplied.

IT was then that this phantom aroſe, which the Virginian minority have embodied into "a contumelious *appeal*." About two months after Genet came to Philadelphia, John Jay and Rufus King ſent a card to the newſpapers. In this they ſaid that, in ſome diſcuſſion between the preſident and the French envoy, the latter had threatened to make an appeal to the people. The accuſers reſted their charge on information received from Mr. Dallas, ſecretary of the ſtate of Pennſylvania. This amiable man was, in all reſpects, a witneſs above exception; but unhappily his explanation did in effect deny the charge. Genet himſelf wrote a letter to the preſident. He therein called upon Mr. Waſhington to ſay whether he had ever caſt out ſuch a menace. Mr. Jefferſon returned a very ſhort anſwer. The amount was that the preſident did not give himſelf the leaſt concern whether ſuch a threat had been thrown out or not. If the fact could have been fixed upon Genet, that would have been done. We ſhould alſo have met with it in the letter of impeachment of Auguſt 16th, 1793, wherein Jefferſon requeſted the French government to recall Genet. That letter has not a word about the menace of an appeal. Genet wanted to proſecute King and Jay for defamation. Randolph refuſed to concur.

THE minority have battered this ridiculous ſtory into "a *contumeli-* "*ous* appeal," and a groſs and ſcandalous calumny on the republican party at large. The following compariſon may help to illuſtrate this point. You ſay that one of your neighbours threatened to kill you. The perſon denies the accuſation. You try to prove it, and you cannot. After all this, a third perſon affirms that you are actually aſſaſſinated by the party accuſed. He ſays this, with teſtimony before his eyes, that even the menace of murder never was made. Such is the caſe before us. That third perſon is the faithful picture of the ſenſe, candour and veracity, of this minority of delegates. I could ſelect from their counter addreſs an hundred other paſſages, and I ſhall ſelect many, which, like that here explained, have not even a rag of plauſibility to ſhelter the nakedneſs of their ſhame.

THIS affair of Genet deſerved the greateſt attention. The thirteen queſtions aſcertain that in 1793, there was an atrocious conſpiracy for involving the United States in a war with France, being long before that republic had furniſhed a cauſe or pretence for quarrel. An ambaſſador from "the future regent," would indeed have been a precious acquiſition.* The minority proceed in their ſummary of paſt events.

NOTE.

* *The pretended Louis* XVIII, *reſided for ſome time, at Verona.* "*I have declared,*" *ſays Buonaparte, in one of his diſpatches to the directory,* "*I have declared that I ſhall reduce to aſhes a town, which* "*has the audacity to think itſelf the metropolis of the French republic.*"

They say that, by Jay's embassy, "peace was preserved with honour." That transaction is now so generally despised and detested, that I shall here pass it over. The minority take not the least notice of Monroe's mission, and this saves them from the painful and hazardous task of explaining why he was recalled. They go forward to the embassy and rejection of Charles Cotesworth Pinckney.† But they forget that citizen Adet, the French minister at Philadelphia, had been loaded with the vilest treatment. Newspapers, in the professed service of government, had, for four years together, heaped all sorts of calumny upon three successive ambassadors from France. The minority then speak of the triple embassy. They are wise enough to say nothing of the pretended bribe demanded by the directory. They are sensible that the gross imposture of that story begins to be understood. They say that this triumvirate mission "was returned by increase of *insolence* and "*affront*." Gerry tells no such tale.

The minority next undertake to vindicate the standing army ordained by congress. From a long and empty rhapsody, a few lines are here extracted. "Can that army be called mercenary, which is composed "of our brothers and sons, levied by law, paid by law, and embodied "to defend their and our common rights?" [The armies of Louis XIV, of Julius Cæsar, and of almost every other usurper, who has enslaved his country, consisted of the brothers and sons of the nation whom they pillaged and betrayed. This argument goes to a general defence of all standing armies. That of Cromwell did not perhaps contain so much as a single foreigner.] "Would your Washington lead "a *mercenary* army?" [Hamilton certainly would be glad to lead any assemblage of men, who could enable him to revenge himself on his enemies. He is the second in command of the proposed army, and Mr. Washington may die, or be dismissed to-morrow, by Mr. Adams.] "Is he not again your general?" [He was general in the western excise expedition, and he could not prevent infinite disorders.] "Why then "these unfounded suspicions?" [They are not *unfounded*.] "and "this opprobrious unwarranted epithet, but to inflame your passions, "and to mislead your judgement?" What can the minority mean by an *unwarranted* epithet? The new standing army must be paid for its trouble. Hence, it is as truly a mercenary body of men, as any one that ever the world saw. The present army is not entirely formed of "our brothers, and our sons." A great part of it consists of *Irish emigrants*. This is fortunate for the honour of the country, because the behaviour of that army has been often, and to the last degree shameful. Witness the recent message from governor Jackson to the assembly of Georgia! We therein learn that the troops posted in that state have been instructed by their commander, colonel Gaither, to disguise themselves like Indians, and to murder the very people whom they are paid for pretending to protect. A copious communication upon that head has been transmitted to congress from the assembly of Georgia. This shews what must be expected from a standing army.

NOTE.

† *This subject has already been fully explained in* Sketches of the History of America.

THE minority defend the eſtabliſhment of a navy, becauſe it will protect our commerce. The anſwer is ſhortly this, that the expence exceeds, in the proportion of forty to one, the benefit which can be derived from it; that the Britiſh navy coſts more money than the trade of England is worth; in a word, that the ſyſtem leads to an immeaſurable expence, and to an augmentation of executive authority, which no friend of the conſtitution deſires to ſee.

THE counter addreſs proceeds to defend the alien act. The objections to it are ſtated thus;

"1. IT tranſcends the powers of congreſs. 2. It violates that article which reſtrains the prohibition of migration till 1808. 3. It unites legiſlative, executive, and judicial powers in the chief magiſtrate. 4. It deprives aliens of the conſtitutional right of the trial by jury."

THE minority undertake to anſwer each of theſe objections. They begin with the firſt of them, and on this they heap up ſuch quantities of words which have no connection with the queſtion, that you turn abſolutely tired. At laſt, after a moſt circuitous march, they come out with this quotation from the conſtitution, that "congreſs has power to grant letters of marque and *reprisal*." They next aſſert that, in 1794, the ſame members of congreſs, who now oppoſe the alien act, were advocates for the ſequeſtration of Britiſh property. But that propoſed meaſure had no relation to an alien bill. Mr. Dayton, and his ſupporters, did not ſuggeſt that the property of Britiſh emigrants, reſiding in the United States, was to be confiſcated. An idea ſo infamous never entered into the imagination of any one member. Even the ſequeſtration of Britiſh debts was rather a bugbear than a meaſure deſigned for practice. A compromiſe would unqueſtionably have taken place. The minority try to confound this affair of the ſequeſtration with their own alien act; and, with a ſtudied obſcurity and prolixity of ſtile, expatiate on the right of congreſs to make repriſals on the *persons*, as well as *property* of aliens. By the practice of nations, no man's perſon is ſubject to *reprisal*, unleſs he is a ſoldier bearing arms in an enemy's ſervice. When a priſoner of war, he is liable to be treated in the ſame way, in which the troops of his nation treat their priſoners. But an Engliſhman, who comes here to reſide with his property, his wife and his children, or who has perhaps ten children by an American wife,‡ is not ſurely to be confounded with the crew of an Engliſh man of war, who viſit America to rob and murder. In the reſt of this clauſe, there is nothing but a wilderneſs of ſophiſtry, which can never reach either the underſtanding, or the heart of any man.

THE counter addreſs goes on to the SECOND objection againſt the alien act, viz. that it violates the conſtitution, article 1ſt, ſection 9th,

NOTE.

‡ *As the weaker sex have such exclusive and irresistible claims to tenderness and protection, it is perhaps the most abominable part of this whole law that, by it, the daughter of an American citizen may be wantonly robbed of her husband, and her children of their father. All this is undoubtedly the most diabolical tyranny, and can only find official* approbation *in a heart the most thoroughly corrupted.*

which says that "the migration or importation of such persons, as "any of the states now existing shall think proper to admit, shall not "be prohibited by the congress, prior to the year 1808," &c. Here again, the counter address, to speak in the stile of Mr. Pope, has *blundered round about a meaning*. After a great deal of barren tautology, the minority say that the suspension of this authority till 1808, "furnishes a strong argument in favor of the *general* power of congress "over the subject." This remark shall be admitted as plausible, because it is needless to suspend the exercise of a right, which does not exist. I shall grant the general right, since they will have it so; but then I shall deny the power of interrupting the stipulated suspension. Here the minority are compelled to beg the question, to take for granted, what they do not so much as attempt to prove. "The right," say they, "of ordering aliens to depart from the United States, is "confined to those who are dangerous." They do not tell on what part of the constitution, this last pretended right is established. They slip away from the real question. But others alledge that this right is founded on that sweeping clause, which gives to congress all powers necessary and proper for carrying the specified powers into effect. By the way in which this sweeping clause has been interpreted, all the rest of the constitution becomes a nullity. Congress are authorised to act certain measures, and to accomplish them, that body is warranted to do *any thing else*. Thus every limitation is at once dissolved, and our boasted constitution subsides into an elective aristocracy.

The power of sending off aliens at discretion comes exactly to that of prohibiting importation, or immigration. A slave is certainly an *alien*. And by the alien bill, the president, of his own authority, might send a cargo of slaves back to Africa, whenever they should be landed in this country. He may also send away *every slave that is now in it*. Such are the monstrous implications of this law. The minority quote an observation that "the power of ordering suspected aliens to leave "our country, may be so used as to destroy substantially the power of "tolerating their migration; and it is granted," say they, "that it "*may* be so used; but" [now observe what they grant,] "the *possi*"*bility of abusing a principle* is never supposed to be a correct argu"ment against its use."

In the above passage the minority admit that, if this act shall ever be converted into an instrument for preventing immigration, it will then have been *abused*. Such is the plain and professed meaning of what they say. This identical abuse has already taken place. A body of Irishmen, concerned in the late insurrection of that oppressed people, had agreed with Pitt that they should be conveyed to this country. Even the depraved imagination of the British minister had never once conceived that Mr. Adams either would or durst refuse to let them be landed in the United States. That model of purity, Rufus King, the man who voted for the British treaty, and damned it, interfered and prevented the transaction. For this both he, and those who gave him such orders, deserve to be impeached, and most severely punished.*

NOTE.

* *Some people are always prattling about the* confidence *due to government. Look at the personal characters and official conduct of the men themselves, and then,* trust them if you can.

Thus the abuſe, as defined by the minority, has, at this early period, ariſen from the act, and their own ſuppoſition ſtrikes directly againſt them. The alien law is actually employed as an inſtrument for preventing immigration. At leaſt, it ſeems to hold out the only pretence upon which King acted. Yet even its inhoſpitable ſtipulations only authorize Mr. Adams to ſend people back again, but not to hinder them from coming here. This improvement upon congreſſional barbarity is, perhaps, reſerved for the next edition of the act.

And here it may be remarked that the whole Iriſh emigrants in America ſeem to have incurred the indelible indignation of government. The newſpapers paid by the Britiſh ambaſſador, and thoſe under the patronage of the federal treaſury, conſtantly load them, and their entire nation with abuſe. During their late ſtruggle for independence, the ariſtocratical newſprinters were conſtantly wiſhing that the people of Ireland might be maſſacred by hundreds of thouſands. The ſame wretches are frequently menacing the republicans of this country with utter extirpation. Judge then what muſt be the condition of Virginia, under a ſtanding army of fifty thouſand men, ſelected by "*prominent* "characters," and conducted upon Britiſh principles.

The counter addreſs proceeds to ſay that Virginia does not "admit "the migration of ſuch perſons as the alien law *enjoins to depart*. No "law of this ſtate authoriſes the migration into it of perſons of the "deſcription comprehended under the act of the United States." This is mere ſound. It would be a very ſtrange law indeed, which ſhould explicitly countenance the introduction of foreign conſpirators againſt the ſtate. Neither Virginia, nor any other country upon earth, has, or ever had ſuch a law. But Virginia permits the indiſcriminate admiſſion of all ſorts of emigrants. With equal juſtice and hoſpitality, ſhe conſiders them as innocent, until the verdict of a jury ſhall prove them to be guilty. The general abhorrence and alarm which this law has excited, prove that the ſyſtem, which it exhibits, is an abſolute novelty, at leaſt in this ſtate. I proceed to the third point of attack and defence of the alien bill.

"This law is alſo objected to," ſays the counter addreſs, "becauſe "it unites legiſlative, executive and judiciary powers, in the preſident of "the United States."

The minority then remark that "legiſlation is the act of making or "giving laws; congreſs, therefore, in making this law, performed the "part of the *legislature*." Thus the minority get over one of the objections; and if the law had, in its internal conſtruction, been framed like the common maſs laws, I ſhould not have contradicted this part of their argument. Had congreſs ſpecified and defined an offence, and appropriated to the judges the power of aſcertaining the diſcretionary degrees of puniſhment, leſs or more, annexed to that offence, then the legiſlative part would have been performed by them, and the aſſertion of the minority muſt have remained invincible.

But the ſingularity of the alien act conſiſts in this, that no man can tell, or even gueſs, whether the moſt innocent action of his life ſhall not come within it. The ſelling of his horſe, or the ſhooting of his dog, may provoke the ſuſpicion of the preſident. That ſuſpicion, again, conſtitutes the crime, a ſuſpicion of which no mortal can conjecture ei-

ther the beginning, or the end, whence it comes, or where it is going. In the ſecond place, the right of eſtabliſhing the exiſtence, and puniſhment of the crime, is not, as in all other caſes, aſſigned to a judge and jury, but to the preſident.

THUS the alien act is not, ſo properly ſpeaking, a law, as *an unlimited* delegation *to invent crimes and puniſhments*. It is a revival, or imitation, of the old and infamous French *Lettres de cachet*.

HENCE it follows that the legiſlative and judiciary powers are in effect, transferred to the preſident.

THE counter addreſs next remarks that "the commiſſion of the execution of this law to the perſon charged by the conſtitution with "the execution of all the laws of the union, is certainly in itſelf "*unexceptionable*."

To this poſition all parties will agree. But, in the very next ſentence, the minority relapſe into their former wildneſs. "Nor does "this act," ſay they, "transfer to the preſident, powers belonging pro-"perly to the *judiciary*. It does not involve the deciſion that its ob-"ject has *committed a crime*." [What ſplendid morality does this alien act inculcate! A man is to be puniſhed, although the judge dares not to ſay that he has committed a crime. What follows is yet more impudent.] "It is a meaſure of general ſafety, in its nature political, "and not forenſic, the execution of which is properly entruſted to the "department which repreſents the nation in all its exterior relations." What a *forenſic* meaſure is, I do not affect to know, having never till now met with that aſſemblage of ſyllables. The reſt of the ſentence is miſerable jargon. Let the minority return to the old beaten track of the Engliſh language, a track that is yet wide enough to comprehend ideas more capacious than theirs. I next entreat them, in the name of the living God, to tell a plain man, for what reaſon he is to be puniſhed before he has committed a crime. Mankind have always deteſted *Ex poſt facto* laws, that is to ſay, laws which, *after* the commiſſion of a crime, are made in order to puniſh it, and which, like the crabs, are to advance backwards. But even theſe are of infinite merit, when compared with this ſtrumpet of juriſprudence, which ruſhes upon futurity, to chaſtiſe crimes that have not yet come into being.

SOME of the defenders of this law have had the audacity to ſay that the penalties which it enjoins are not, in proper terms, a puniſhment. The minority are not abſurd enough to repeat this affirmation. But, when we ſpeak of the alien law, its peculiar and monſtrous barbarity ought not to be forgotten. By the nod of our preſidential Jove, a man may be hoiſted on board of a tranſport in the midſt of a fever, or a conſumption, on the day after he has bought an eſtate, or broke a leg, or when he is on the point of recovering judgment for a ſum which, by diſcharging his debts, is to reſtore the peace of his conſcience, or, by ſecuring the independence of his family, is to lull the ſolicitudes of a father and a huſband. It is no puniſhment, forſooth! to be dragged at midnight from your bed, amidſt the tears of your wife, and the careſſes of your children, to be abruptly torn from every connection that makes exiſtence tolerable, or that can ſoothe and reconcile a rational being to the emptineſs of life. You are then jammed into the hold of a ſhip, into a dungeon of ſtench, and filth, and darkneſs, beſide which

the worſt negro cabin in Virginia might be the palace of a Lucullus. After feaſting for two months, upon black bread and ſtinking water, after enduring all the impertinence and brutality which are to be expected from the character and ſituation of your jailors, you are vomited out again upon the ice of Nova Zembla, or the burning ſands of Africa. This infernal ſtatute makes not ſo much as the ſmalleſt proviſion for your perſonal ſafety. In ſuch a condition, no alien can be ſure but that he ſhall be conveyed to Algiers, or Morocco, and there be ſold for the expence of his paſſage. This is that code of certain oppreſſion, and of probable ſlavery and murder, which the minority labour to defend. Neither the barbarians who framed this law, nor the tyrant who gave it his ratification, felt the ſmalleſt twit of remorſe for the agonies of an innocent wife, or the probable beggary of her children. Thus completely have Britiſh guineas realized the prediction of Jugurtha! Mr. Adams is fond of recommending a national faſt, an interval of grimace and canting, of idleneſs and diſſipation. In the catalogue of American political ſins, the alien act ſhould ſtand foremoſt. Pulpit eloquence ought to rouſe all its energies in begging forgiveneſs for this *chief of ſinners*.

The minority advance to the Fourth objection, viz. that "this act "deprives the alien of his *right of trial by jury*. To this extraordinary allegation," [which yet the minority do not attempt to deny,] "it "has again and again been anſwered that this is a meaſure of preven- "tive" [that is of *prophetical*] "and not of puniſhing juſtice." The minority ſhould have told us what *preventive* juſtice means. It ſeems to ſignify juſtice operating upon a nonentity. Hitherto it has been underſtood that nothing can offend when it does not exiſt. But preventive juſtice can, by its very nature, operate upon nothing elſe. It was ſaid of Sir William Wallace, that his ſword cut *a yard before the point*. This is the beſt explanation which can be given of the alien act.

In the next ſentence, the counter addreſs puts the following queſtions. "Who would require that a jury *ſhould be impannelled*, in order to de- "cide whether a nation had or had not cauſe to ſuſpect a particular alien "of dangerous deſigns againſt its peace?" [The minority well know, and they have been told a thouſand times, that ſuch a jury is poſitively required by the ſame conſtitution for which they pretend to ſuch pious and excluſive adoration. But they betray a conſciouſneſs of the weakneſs of their cauſe; for, under this head, they ſhun ſo much as the moſt diſtant reference to the rock of the conſtitution. I return to the queries.] "Who would require that the preſident ſhould unfold to juries, "throughout the United States, all the intelligence he may have re- "ceived, perhaps from perſons within the reach of thoſe employing the "aliens, which eſtabliſhes in *his* mind the reality of the danger to be "apprehended?"

And who is this preſident that he ſhould *not* unfold his reaſons to juries? Is he not a man like themſelves? If he ſhall be convicted of theft, or murder, the verdict of twelve men will ſend him, as well as the humbleſt of our ſpecies, to the jail, or the gibbet.

And who or what is that formidable character, an *alien*, for fear of whom every principle of hoſpitality, of humanity, and of juſtice, is to be trampled under foot? If I know nothing more of the matter than

what appears from this counter addreſs, I ſhould infer that only ſix or a dozen foreigners had ever been ſeen in this country, that like Candidus in the kingdom of Eldorado, each of them had dropt upon this hallowed continent by ſome kind of miracle. But that is ſo far from being the caſe, that we are compoſed of or deſcended from the quotas of every corner of Europe. Buffon ſays that the planets were formed by ſucceſſive exploſions from the ſun. In the ſame way, has America been occupied by ſucceſſive exploſions from the population of the ancient world. In ſome of the middle ſtates, we can hardly aſſemble ſix men, without involving the fragments of three or four different nations. Thus, in the ſtile of Defoe, the Pennſylvanians may exclaim,

Religion, Lord we thank thee! ſent us hither,
Priests, protestants, the devil, and all together.

When Manly, in *The Plain Dealer*, is raving at the whole female ſex, "Hold captain," cries one of the company, "your mother was *a* "*woman.*" An anſwer of the ſame kind ought to ſilence the preſent racket againſt aliens. This abominable conſpiracy to rob them of a trial by jury, to ruin them without even the farce of an accuſation, this conſpiracy, I ſay, has only roufed the natives of America to the defence of the deſtined victims. To the perfidious and ſavage croaking about political ſafety, the farmer of Virginia, like the farmer in Terence, replies with a ſentiment, inſtead of a ſyllogiſm. "An alien is a man; "and I, as one likewiſe, take an intereſt in the univerſal happineſs of "mankind."

Immediately after the laſt citation, the counter addreſs goes on thus. "Certainly a veſted right is to be taken from no individual, with-"out a ſolemn trial; but the right of remaining in our country is "veſted in no alien; he enters and remains by the courteſy of the ſove-"reign power, and that courteſy may at pleaſure be withdrawn." Every line of this paſſage affirms a notorious and direct falſehood. An alien enters into and remains in this country, by virtue of the conſtitution, which explicitly forbids congreſs to meddle with him, in any other ſhape than as *a person* entitled to a legal trial. He is authoriſed to ſtay in this country, as much as any other man, until he ſhall be convicted of a crime, that renders him a fit object of expulſion; for the eighth amendment of the conſtitution ſays that "in all criminal proſecutions, "the accuſed ſhall enjoy the right to a ſpeedy and *public* trial, by an "impartial *jury* of the ſtate and diſtrict where the crime ſhall have been "committed, which diſtrict ſhall have been previouſly aſcertained by "law; and to be *informed* of the *nature* and *cause* of the accuſation, "to be *confronted* with the witneſſes againſt him, to have compulſory "proceſs for obtaining witneſſes in his favour, and to have the aſſiſt-"ance of counſel for his defence."

In his ſpeech to congreſs, on the alien bill, Mr. Livingſton quotes the above paſſage, and then puts this query. "Now, ſir, what minute "article in theſe ſeveral proviſions of the conſtitution is there, that is "not violated by this bill? All the bulwarks which it oppoſed to en-"croachments on perſonal liberty fall before this *engine of oppreſ-*"*ſion.*"

The minority proceed, in the next ſentence, to an audacious attempt for involving the character of Virginia in defence of this ſtatute.

By the second section of the sixty second chapter of the laws of this state, the governor, with the advice of the executive council, is authorized to apprehend all suspicious persons, who are the subjects of any foreign government, with whom this government shall be *at war*, or *upon the point of hostilities*. These persons may be secured, or compelled to depart out of the country. All this is rigid, but not very unreasonable. The advice of the council of state is necessary, and hence an alien cannot be subjected to the caprice of an individual magistrate. This forms a material consideration in favor of the alien act of Virginia.

There is a statute of congress dated July 6th, 1798, entitled *An act respecting alien enemies*, which has the same object with that of Virginia, and against *this* alien bill, no complaint has yet been made. It is the law specially entitled *An act concerning aliens*, which has been so justly reprobated by the legislature of Virginia. The whole remarks that have crouded so many memorials and remonstrances to congress, refer solely to this *Act concerning aliens*. The minority have endeavored to confound into one, two statutes that are essentially different.

Observe their own words. "No law of this state authorises the "migration into it of persons of the description comprehended in the "act of the United States." [This is mere noise without meaning. There never was and there never can be a state that would by law, invite into it people who were professedly to overturn its government.*] "On the contrary, our laws expresly authorise the executive to ap- "prehend and secure, or compel to depart this commonwealth, all "suspicious persons, being the subjects of any foreign power or state, "from whom *the president of the United States* shall apprehend *hostile* "*designs* against the said states." The Virginia act describes these aliens as being "the subjects of any foreign power, or state, who shall have "made a declaration of war, or actually commenced hostilities against "the said states, or from whom the president of the United States shall "apprehend hostile designs against the said states."

By the mode in which the minority have referred to this statute, one would be led to think that it was formed entirely for the president's apprehensions; whereas it chiefly contemplates a state of actual war. The only objection to the law is that it deprives aliens of a trial by jury. But then it has a very important clause, in the third section, which takes off a great part even of this hardship. It runs thus: "saving always to the merchants of any foreign state, betwixt whom and "the United States war shall have arisen, and to their families, agents, "and servants, found in this commonwealth at the beginning of the "war, *the privileges allowed by law*."

There is not, in the act of congress, one syllable correspondent with this comprehensive reservation; and therefore nothing but the most impenetrable *firmness*† could have emboldened the minority to

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* *The difficulty of catching a hare lies not in fairly outrunning her, but in tracing her* doublings. *That of refuting the minority is something like it. An erroneous, yet* candid *reasoner, may soon be laid upon his back; but when a writer tries to hide his ideas under a mass of words, it is sometimes not easy to ferret him out.*

† *This is not the proper word.*

run a parallel between two laws that are so essentially different. The act of congress has indeed one pretended reservation in favor of its victims; it is in these words:

"Sec. 5. *And be it further enacted*, That it shall be lawful for any "alien who may be ordered to be removed from the United States, by "virtue of this act, to take with him such part of his goods, chattels, "or other property, as he may find convenient; and all property left "in the United States, by any alien, who may be removed, as afore-"said, shall be, and remain subject to his order and disposal, in the "same manner, as if this act had not been passed."

This, to be sure, is a most generous exception. Congress declare that, after wantonly kicking a man out of the country, they will not likewise rob him of his property. This is just as if a private person should advertise himself thus: "I, A. B. am not a pickpocket, or a "horse stealer." Such a ratification would not be the shortest way to establish his character, and this is exactly the method which the majority of congress have taken in order to establish their. The occasion of this clause was as curious as the thing itself; and the stipulation is, all together, so much out of the common road of thinking, that it well deserves a particular explanation. When those alien bills, to the number of seven or eight, were first brought into congress, a general panic seized all foreigners residing in Philadelphia. These original bills contained a multiplicity of articles, which are perhaps more oppressive and atrocious than even the present act itself.* The republicans gave them battle in both houses, with the greatest obstinacy, and, perhaps, with impropriety. When an act so radically and irreparably wrong was to be passed at all, it was desirable that its deformities should be as numerous and as monstrous as possible, in order that its authors, and itself, might be the more readily and the more deeply detested. The greater hardships and injuries that were to be authorised by the statute, the more sudden, and the more formidable was likely to be the burst of public opposition.

When foreigners of property and independence perceived themselves to be thus grossly affronted, and thus barbarously proscribed, when they found that the ruffians who conduct the treasury newspapers in Philadelphia, attacked them, in the mass, with whole quires of brutality, and of slander, they felt all that resentment which tyranny is capable of inspiring, and they had recourse to an instant and decisive measure of defence and of vengeance. They hasted by dozens to the bank of the United States. They demanded their deposits; and several millions of hard dollars were in a few days, withdrawn from the coffers of that citadel of aristocracy. The directors of the bank took alarm. It is understood that they were obliged to make application for pecuniary assistance from without doors. This, by the way, proves upon what a slender thread the credit of the company hangs, and what would become of them, *if every feather stuck in its own wing*.† The

NOTE.

* *A collection of them has been made, and I design to print some of their principal features, with a commentary. They teach us what the faction would do, if they had all in their own way.*

† *Shakespeare.*

majority in congreſs had not foreſeen this conſequence of what they were doing. They attempted to make an atonement for their error, and to court thoſe very perſons, whom they were at the ſame moment inſulting. They were anxious that the depoſits ſhould be replaced in their bank; and, like the boaſter of Brunſwick, their retreat was as ignominious as their advances had been criminal. The legiſlators of a civilized nation gave notice that they were not ſwindlers and footpads. Their ſolicitude upon this point produced the ſection above quoted, which declares, in plain terms, that they were not going to rob and to ſteal.

Such a declaratory clauſe was indeed requiſite to remove ſome natural ſuſpicions with reſpect to the integrity of the fifth congreſs. Conſidering what they really did, and who their leaders were, their jealouſy that they might be ſuſpected is an evidence of their judgement. But the Virginian ſtatute concerning aliens was not paſſed by perſons like theſe. Its authors did not feel themſelves compelled to be the compurgators of their own probity. The reſervation in favour of foreign merchants and their families, the ſhelter afforded by the interference of the executive council, and the expreſs reference to a pending, or expected ſtate of national hoſtility, are land marks that place an inſuperable diſtinction between theſe two ſtatutes of Virginia, and of congreſs. The latter does not require even an expectation of public hoſtilities. It only ſays that the preſident may "order all ſuch aliens as "he ſhall judge dangerous to the peace and ſafety of the United States, "or ſhall have reaſonable grounds to ſuſpect are concerned in any treaſonable or ſecret machinations againſt the government thereof, to "depart," &c. Theſe are the whole reaſons aſſigned by congreſs. But the Virginian law makes it neceſſary that war ſhould be exiſting, or apprehended between this country, and the nation to whom the propoſed exiles belong. All theſe circumſtances keep, at the wideſt diſtance, theſe two laws which the minority have jumbled together. "Their object was to puzzle and confound, and not to enlighten the "underſtanding; and, if they meant to reſcue the law of congreſs "from the charge of impropriety and injuſtice, by the inſtance of *that* "*of Virginia*, they have been guilty of *a groſs miſrepreſentation:* for "the act of that ſtate, ſo far from being ſimilar to that complained of, "is not a law concerning alien *friends*, but a law reſpecting alien *ene*"*mies*, perfectly ſimilar to that of congreſs, of which *no one complains*, "and which paſſed without oppoſition." I here cite ſome remarks from a ſpeech made by Mr. Gallatin, in the debate of February 10th, 1799, as to the repeal of the alien and ſedition laws. A ſelect committee had been ordered to report, on that buſineſs, to the houſe of repreſentatives. In their report, they came forward with the ſame deſpicable artifice, which has here been detected in the minority of Virginia. The paſſage applies with equal exactneſs to the counter addreſs, and to the report to congreſs.

CHAPTER VIII.

Remarks on the Counter Address continued.—Yeas and Nays upon the passing of the Alien Act.—Sketches of Congressional Characters. Examination of the X. Y. & Z. *embassy.—The Sedition Act.—General Mason's letter.—Sequel of observations upon the Counter Address.*

It will be interesting to know by what kind of majorities in congress this alien act was ushered into existence. I shall, therefore, give, in the first place, an account of the proportion of votes from each state in favour of the bill, and against it. This summary will assist us in ascertaining the state of political opinions, in summer, 1798, on the two opposite sides of the Patowmack. I shall then give a slight sketch of the personal characters of some of the gentlemen themselves.

This alien act originated in the senate of congress, where it was read, for the first time, upon June 8th, 1798. Humphrey Marshall, the celebrated poet, then proposed an amendment of the second clause of the first section. It was in these words: "which order shall also "express the *cause* of removal." Nothing could be more reasonable than this amendment. It was rejected by seventeen votes against six. Nature must have fitted this majority to be senators of Venice, and not of a free country. A man is thrust over "the brink of gaping "ruin,"* and he is not to be told for what offence. It is said that laws are made for the prevention of crimes, and that such only is the proper object of punishment. But in this, as in every other point of view, the monster now before us inverts all common principles of legislation. The punishment cannot be designed to prevent offences; for the offence is to be concealed, as well as to be punished; and the counter address itself has candidly declared that punishment may be inflicted although an offence *has not been committed.** Mr. Tattnall voted against this amendment. He also voted against the bill itself. As he ultimately voted against it, he should, in point of consistency, have supported this amendment, which, to a certain degree, counteracted the despotic principles of the bill. It is often difficult to guess the motives upon which a gentleman founds his vote. I have known a member of congress who supported a question, in express contradiction to his own wishes, only because he was certain of being left in a minority. Mr. Tattnall's object must have been that, if the bill past at all, it should be as odious as possible.

NOTE.

* *Otway.*

* *Supra. Chap.* VII.

On the paſſing of this act, the votes were ſixteen againſt ſeven. They ſtood thus.

In favour of the bill.

New-Hampſhire,	1.
Maſſachuſetts,	1.
Rhode-Iſland,	1.
Connecticut,	2.
Vermont,	1.
New-York,	2.
New-Jerſey,	1.
Pennſylvania,	1.
Delaware,	1.
Maryland,	1.
North-Carolina,	1.
South-Carolina,	1.
	16.

Againſt the bill.

Virginia,	2.
North-Carolina,	1.
Kentucky,	2.
Tenneſſee,	2.
Georgia,	1.
	7.

The ſenate then ſent down their bill to the repreſentatives, where it met with a much more powerful oppoſition than that among themſelves.

The act concerning aliens paſſed in the houſe of repreſentatives, on June 21ſt, 1798, by forty ſix votes againſt forty. Nineteen members were abſent.

The numbers ſtood thus.

For the bill.

New-Hampſhire,	3.
Maſſachuſetts,	11.
Rhode-Iſland,	2.
Connecticut,	7.
Vermont,	1.
New-York,	5.
New-Jerſey,	4.
Pennſylvania,	4.
Delaware,	1.
Maryland,	4.
Virginia,	1.
North-Carolina,	1.
South-Carolina,	2.
Majority of repreſentatives for the alien act,	46.

Of the whole forty ſix, the four New-England ſtates furniſh twenty-three, and all America, from this ſide of the Patowmac, preſents but four.

The minority run as follows:

Against the bill.

Maſſachuſetts,	1.
Vermont,	1.
New-York,	2.
Pennſylvania,	6.
Maryland,	3.
Virginia,	11.
Kentucky,	2.
North-Carolina,	8.
Tenneſſee,	1.
South-Carolina,	3.
Georgia,	2.
	40.

From this account of the votes in both houſes, it is evident that the alien act was indebted for its exiſtence to the New-England faction. Not one ſenator from that country voted againſt it, and only one repreſentative, out of twenty-four, who were preſent. On the contrary, of twelve Virginians who were then in the houſe, eleven voted againſt it. In the ſenate, there were fourteen members to the north of the Patowmac, and every one of them ſupported the bill. Of the nine members to the ſouth of that river, two voted for, and ſeven againſt it.

Persons at a diſtance from congreſs are apt to conceive the profoundeſt veneration for their decrees. To ſpeak of them without reſpect is regarded by many as a ſpecies of impiety. To diſſolve this kind of ſuperſtition ſomething ſhall be ſaid as to the perſonal characters of ſeveral of its members. An acquaintance with the actors will extinguiſh our ſurpriſe at the ſingularities of the ſcene, and ſeems indeed almoſt neceſſary for the ſake of underſtanding it.

We ſhall begin with the twenty-ſix repreſentatives of New-England. Of theſe only three were heard of during the revolution; viz. General Shepard, who ſupported the alien bill, General Varnum the ſolitary New-England member who voted againſt it, and General Skinner, a republican, who was abſent. Shepard may be a good ſoldier, but there is hardly a more ignorant or wretched reaſoner. Sewall, and Dwight Foſter, are ſaid to have been conſidered as tories during the revolution. The latter but ſeldom ſpeaks in congreſs; and the former would oblige them by holding his tongue. Sewall is an inflammatory and inſolent harangüer; but his efforts are diſintereſted. He is a bankrupt, and has but little to fear from the worſt misfortunes which can befall his country. Excepting Skinner and Varnum, Nathaniel Freeman was the only republican repreſentative of New-England in the fifth congreſs. He ſpoke ſeldom, and has retired from public life. John Allen, a tall hectic figure, is remarkable for the extravagance of his expreſſions. He has declared that the federal conſtitution is not worth *a damn*, and that he would be glad to *give it a kick*. The time and place, where he ſaid ſo, with the names of the witneſſes who were preſent, ſhall be told hereafter. He gave up his ſeat in the ſixth congreſs, for the ſake of being choſen into the aſſembly of Connecticut. But alas! he was overpowered by the republican candidate.

During the third congreſs, George Thatcher hardly once opened his lips. He ſupported the character of a reaſonable man. Of late years, Mr. Thatcher has been a frequent ſpeaker; and his orations prove that ſilence was better than any thing which he can ſay. He told congreſs that Burras muſt have been either mad or drunk, when he made his farewell addreſs to Monroe. We cannot ſuppoſe this member of congreſs acceſſible to Britiſh gold. It is, therefore, impoſſible to explain the rapid and remarkable change in the manners of Mr. Thatcher. From reſerve and decency, he has abruptly paſſed into noiſe and petulance. He certainly would not give himſelf ſo much trouble without ſome weighty reaſon.

Harrison Otis has a tolerable command of words. He is not entirely diveſted of fancy. But he is guiltleſs of argument, of veracity, or of candour. He has been appointed a director in the bank of the United States; and he muſt have obtained that niche in the temple of peculation, by doing what ſome people would not wiſh to do. The dregs of a groveling mind were diſcovered in his petty manœuvres for an addition of two hundred dollars to the ſalary of his father. In Summer, 1798, Otis was remarkably poſitive that the French would invade America. No man can be more ambitious to be the ſcavenger of his party than this calumniator of the Iriſh nation. His utility will neither be impeded by the ſtubbornneſs of his principles, nor promoted by the ſplendour of his talents.

The late Mr. Coit wiſhed to be impartial. On this account, he was attacked, with the utmoſt fury, by the treaſury newſpapers. He was told that a doubtful friend was more dangerous than a profeſſed enemy, that Callender was preferable to Coit. To compenſate for his error, he made a long and violent invective in Congreſs againſt Mr. Jefferſon; and to the diſgrace of that aſſembly, he was not ordered to ſit down. Mr. Coit voted for the alien and ſedition acts.

One of the two repreſentatives of Vermont is Mr. Morris, an attorney, and horſe-jockey. Admirable upon the turf, he is of no conſequence in any other place. David Brooks of New-York was fitter for a bear garden than for a ſeat in congreſs. John Williams had once been tumbler to an itinerant quack doctor. About the end of the war he was a colonel, and by making falſe and overcharged returns of his regiment, he received a large overplus of pay, for ſoldiers who were dead. He was expelled for perjury from the ſenate of New-York. An interval of time, and perhaps of honeſty, had caſt a mantle over his infamy, and in a dearth of decent candidates, the republicans gave him a place in the fourth congreſs. "Nature will return," ſays Horace. "although you drive her out with a ſpear." Williams relapſed into the primitive perfidy of his conſtitution. He became a violent ariſtocrat, and in ſpite of his former friends, he was choſen for the fifth congreſs. That this felon ſhould ever have been elected for congreſs at all, or that the repreſentatives ſhould have ſuffered him to profane their preſence, are circumſtances which caſt indelible reproach on the character of America. The caſes of Marſhall and Gunn were quite as blaſted. The people of a diſtrict ſay to theft, *thou art my repreſentative*. The legiſlature ſays to perjury, *thou art my brother*. Citizens of Virginia! while ſuch multiplied records of ignominy are ſtaring in your

faces, you cannot wonder that government itself has been so frequently conducted on the principles of Tyburn! The alien and sedition acts are no longer surprising, when we analyze the character of their authors.

Mr. Dayton was the most remarkable representative of Jersey in the fifth congress. He had always been quarrelsome. But in the second session, his natural rudeness burst into positive brutality. He was a member of that virtuous band of legislators, who bought up the certificates of the old soldiers. Detested by republicans, and even by his own party, he is in habits of intimacy with the British ambassador. But, as Junius says of Wedderburne, there seems to be something about Mr. Dayton, "which even treachery cannot trust."

Four Pennsylvanians voted for the alien act; and Mr. Hartley, who was then absent, voted for the sedition act. Kittera and Sitgreaves are too bankrupt attornies, and both remarkable for the violence of their British principles.

Bayard of Delaware is, if possible, the rankest aristocrat, the most unblushing advocate for political corruption, that pollutes either house.

Mr. Craik of Maryland had originally been a man of sense and moderation. But these qualities can no longer please the leaders of the party. Neither praise nor profit, is to be got by them.

General Daniel Morgan of Virginia held an office in the Pittsburgh expedition. He shared very deeply in the profits of that job.* He would certainly have voted for the celebrated pair; but want of health prevented his attendance.

Macon is a Scots aristocrat. He did not vote for either of the bills. He had gone to the country, before they came forward.

Evans voted for both; and he has defended them in a pamphlet, which is very violent, and very dull.

Mr. Grove was the only member from North-Carolina who supported these laws. He neither makes noise himself, nor causes noise to be made about him. He is apparently superior to the gross ignorance of Brooks, the toad-eating servility of Otis, the petulance of Kittera, and the trimming brutality of Dayton.

The Eleloses with South-Carolina. The very name of Thomas Pinckney is synonimous with insignificance. But it is better to be despised than to be a wicked man than to be detested as a bad one. Pinckney's approbation of the broken up treaty ascertains the confidence which is due to his sentiments and his judgement. At the last election for president, Adams had some chance of being chosen. The case was this. The anti-federalists themselves were divided in their views. The New-Englanders wished to have a New-England president. They cast their eyes upon Mr. Adams. He was a professed aristocrat. He had served faithful and serviceable to the British interest. In spring, [illegible] his cast[illegible] in the senate of congress, had successively defeated every republican [illegible] supporting the welfare, and independence of his country. On [illegible] of his character, Mr. Adams was as unexcepti-

NOTE.

* *The particulars are inserted in a certain Secretary's printed letters. They are very curious, and shall hereafter be quoted.*

enable as political depravity could make him. But unhappily he had always spoken with contempt, or something worse, of Mr. Hamilton's financial projects, of the national bank, and of the funding system.* A second party would have been glad to see Mr. Hamilton himself in the chair. But they knew that it was impossible to get the concurrence of New-England. Another scheme was yet in store. They started Pinckney, as runner for the vice-presidency. Every elector must vote for two persons. He is not at liberty to say that he votes for one as president, and the other as vice president. He gives his ballot for both without distinction. If the aristocrats of the eastern and middle states could have been persuaded to vote unanimously for Pinckney, as upon their side, he had at the same time a prospect of some votes in the southern states where he passed for a republican. If he had been elected, it was understood that Hamilton would have been practical president, as he is at present practical commander of the standing army. A considerable number of the Virginian electors were on the point of voting for Pinckney, with a view to make him vice-president. The stratagem was explained to them by Mr. John Taylor. The oriental sages, also, saw through this project,† and thus it fell to the ground. But Mr. Adams found it necessary to keep terms with so dangerous a rival as Hamilton. The command of the new standing army was the sop for Cerberus. Hence it is that we have seen a major general carved from the coward, who, by his own account, has trembled at the menaces of a cuckold;‡ from the miscreant, who, *by his own account*, first debauched a young and beautiful woman, and then printed *her confidential letters!* These affirmations I borrow from his own apology, as it has been presented to the world, by this unparalelled monster.

MR. PINCKNEY has had a handsome share in the spoils of the nation.

NOTES.

* *This circumstance has already been adverted to in the American Annual Register, Chap. 6th. It is also well known to every member of congress under the new government. Mr. Adams never attempted to make a secret of his abhorrence. Thus we see the genuine character of the president. When but in a secondary station, he censured the funding system. When at the head of affairs, he reverses all his former principles. He exerts himself to plunge his country into the most expensive and ruinous establishments. In the two first years of his presidency, he has contrived pretences to double the annual expence of government, by useless fleets, armies, sinecures, and jobs, of every possible description. After condemning Hamilton's funding system, he has done his utmost to extend and confirm it.*

† *Mr. Adams himself mentioned it with the utmost freedom. American Annual Register, Chap. 9th. Mr. Pinckney, then at London, was informed of his standing a chance for the prize. He ingeniously and sensibly answered that "it would be singular if he, who was the object of "neither party, should be the choice of both."*

‡ *Hamilton has printed the two receipts that he took for the money, which saved him from a pommelling. This is our major general.*

Eighteen thousand dollars are stated for his expences during a journey from London to Madrid.* A congress member is allowed six dollars per twenty five miles, for his trouble in travelling to and from that assembly. Compute that Mr. Pinckney went six hundred miles forwards, and as much back again. The whole charge of both journies, at the rate above stated, would come exactly to two hundred and eighty-eight dollars. Travelling is at least as dear in this country as in Europe; yet in order to remove all objections, let us allow six hundred dollars for these twelve hundred miles. It is probable, but cannot in this place be affirmed, that during the same time, Pinckney continued to uplift his salary, as ambassador to England. Admit, therefore, that he staid in Madrid for two hundred days, and give him twelve dollars per day, for his services. This is more than Hamilton himself had in Philadelphia, as secretary to the treasury. It will not be pretended that the business of an ambassador was more important than that of Hamilton. Two hundred days also were much more than sufficient for the business. For that excellent treaty, the United States are indebted to the patronage of France. The court of Spain agreed to it in some haste, from a persuasion that the interests of France and America were inseparable. This we learn from governor Monroe. Taking, therefore, six hundred dollars for the journey, and two thousand four hundred, at twelve dollars per day, for the residence, the result is three thousand dollars. But Mr. Wolcott, in his report, has charged eighteen thousand dollars, which, after a very handsome allowance, was just six times more than what it should have been.

Thus, fifteen thousand dollars must have been utterly sunk and wasted. Mr. George Keith Taylor is one of the counter addressers of the minority of Virginia. Can this gentleman, or can any gentleman, hold up his face and defend such horrid pillage? Mr. Taylor must either condemn this footpad scene, or submit to be considered as upon a level with its actors. It cannot be surprising that Pinckney, with such handsome payment, supported an alien or a sedition act. This is that *executive influence*, for the extension of which Mr. Bayard of Delaware has been so zealous an advocate. A slave is bought and sold for other people's money. The freemen of America have been bought and sold for their own. Fifteen thousand dollars form a powerful argument, even on the worst side of the worst question. Our sanctified cabinet was almost scared into convulsions, on the second hand report from two swindlers that the French directory wished for a bribe. The largess of Thomas Pinckney can be considered as nothing better.

And here I must notice the fallibility of an ancient proverb, which tells us that *what every one says must be true*. For every man in this city says and believes that Mr. John Marshall spent several thousands of dollars upon barbacues to promote his late election to congress. They add that it was only by such practices, that he was able to disap-

NOTE.

* *The words are these:* "*September* 30*th*, 1794. *For the expences* "*of a special envoy to Madrid*, 18,000 *dollars*," *Vid. Mr. Wolcott's Report, of February*, 15*th*, 1797.

point Mr. Clopton. All this and much more has been believed, and yet the accuſation is incredible. If it is mean to aſk a bribe, it is yet more deteſtable to give one. The horror which Mr. Marſhall felt at the propoſal of the French ſharpers muſt place him far above the imputation of a ſimilar tranſaction. In the very midſt of his outcries of contempt and abhorrence, it ſeems inconceivable that he ſhould, in the face of Virginia, perpetrate the very crime which he was ſo eager to condemn. A citizen of Richmond ſays that his vote was ſolicited by the friends of Mr. Marſhall; and that upon his refuſal to comply, an abortive attempt was made to diſtreſs him for a debt. With regard to every thing which iſſues in political proſtitution, and corruption, we are getting, as faſt as poſſible, beyond England. Put the caſe that an elector of Weſtminſter ſhall refuſe to vote for Charles Fox; and that, out of revenge, the latter ſends him to priſon for a debt. A Weſtminſter candidate would not dare, at the Huſtings, to ſtand upon the head of ſuch a ſtory. Bribery is bad; but oppreſſion is an hundred times worſe. If our repreſentative carried, or but attempted to carry his election, either by the one, or the other, he is unqueſtionably one of the moſt atrocious impoſtors upon earth. In this caſe, his teſtimony againſt Talleyrand would paſs for no more than that of Barrington upon the trial of a pick-pocket. All this is ſo very plain a concluſion, that there cannot be a difference of opinion about it. We muſt not, therefore, believe, *as we conſtantly have done*, that Mr. Marſhall ſpent five or ſix thouſand dollars upon barbacues.

In the ſixth congreſs, when this gentleman votes for all the dirty meaſures of adminiſtration, we are to ſuppoſe that he acts from the pureſt motives only. Much is expected from his talents and eloquence. Hence, in the preſent groupe of congreſſional portraits, a ſketch of Mr. Marſhall's conduct will not be regarded as a digreſſion. He is one of the reputed authors of the counter addreſs; and the hypocritical canting that ſo ſtrongly marks it, correſponds very well with the diſpatches of X. Y. & Z. The behaviour of the American triumvirate, at Paris, forms one of the moſt ſingular farces in hiſtory. To expoſe, through all its proper colours, the impenetrable effrontery of their impoſture, would require the abilities and efforts of Davila himſelf.* The envoys trampled upon their inſtructions from the preſident; or at leaſt upon that part of them which has been *printed*. Their apparent reaſon for this act of diſobedience was that they wanted to break off all correſpondence between France and the United States. Hence, it is univerſally believed by the republicans that the ambaſſadors had *private injunctions* for that effect from the preſident.

These envoys arrived in Paris, on October 4th, 1797. On the 5th, they ſent to Talleyrand a verbal intimation of their arrival. On the 6th, they ſent him an official notice.——The miniſter deſired to ſee them upon the 8th.——They went accordingly. They preſented their letters of credence. They were told by Talleyrand that, by orders from the directory, he was making out a report on the

NOTE.

* *For his literary character, see American Annual Register, Chap. 9th.*

ſituation of the United States with regard to France; that this report would be finiſhed in a few days; and that he would then let them know what ſteps they were to follow. They aſked the miniſter if cards of hoſpitality were in the mean time, neceſſary. Talleyrand ſaid that they were ſo; and on the next day, October, 9th, they had ſuch cards ſent them. Thus far, all was perſpicuity, frankneſs and friendſhip, on the part of the French miniſter.

On the 15th of October, major Mountflorence informed Pinckney of ſome converſation between himſelf, and Mr. Osmond, the ſecretary of Talleyrand. The ſubſtance of it was that the Directory were greatly exaſperated at ſome parts of the preſident's ſpeech, at the opening of congreſs, in May, 1797; and that they would require an explanation of it. There could be nothing more natural and reaſonable than this requiſition. We all remember with what ſurpriſe, and diſguſt, and indignation, every lover of peace heard the firſt ſpeech of Mr. Adams to the fifth congreſs. Mr. Osmond alſo informed major Mountflorence that probably the ambaſſadors would not have a *public* audience of the directory, until ſuch time as their negociation was finiſhed; that probably, perſons would be appointed to treat with them; but that they would report to Talleyrand, who would direct the negociation. This information from Osmond could be conſidered in no other light than as a meſſage to the ambaſſadors themſelves. But the contents being ſomewhat of a reſerved nature, the refinement of French politeneſs adopted this method of communication.

The coolneſs of the directory cannot be thought wonderful, when we look back to recent circumſtances. Pinckney, in his previous embaſſy to Paris, had created a perſonal quarrel between himſelf and the directory. He wrote home to his government reſpecting them in the moſt injurious and contemptuous terms. Adams and congreſs publiſhed theſe fooliſh invectives. The Britiſh faction in congreſs echoed the reproaches and inſults of the ambaſſador. The printer to the ſenate ſuperadded his daily pages of ſcurrility; and the Britiſh ambaſſador had been permitted to eſtabliſh at Philadelphia a newſpaper, of which the profeſſed object was to provoke a war between France and the United States. Joel Barlow juſtly obſerves that the ſending back of Pinckney to Paris was deſigned by Adams, and conſidered by France, as a deliberate inſult. The nomination of Mr. Marſhall was not much better. He had always been a profeſſed friend to the government of the rack, of the baſtile, the gabelle, the corvees, to the domination of prieſts and ſtrumpets, and of a caterpillar nobility. Gerry had a tincture, but it was a ſmall one, of republican principles; and beſides, this identical Gerry, when a member of congreſs, had perjured himſelf by voting for the charter of the bank of the United States.* All theſe circumſtances preſent a ſufficient explanation of the coolneſs of the French government.

Make the ſuppoſition that a member of the directory had told the council of five hundred that Adams muſt have been either mad or drunk when he delivered his ſpeech of May 16th, 1797. Put the caſe that

NOTE.

* *Vid. particulars in Sketches of the History of America, Chap.* 3.

the directory had returned back Adet to Philadelphia, and had conjoined with him Genet and Fauchet. Let us alſo figure that the directory ſhould, at the ſame time, have publiſhed in Paris, Fauchet's intercepted diſpatches, and an hundred other libellous publications, with a view to provoke the French nation againſt the United States. Such proceedings muſt have exaſperated every man in this country. We ſhould have exclaimed, in one voice, that theſe tyrants did not wiſh for peace; that they were the moſt reſtleſs, the moſt inſolent and perfidious of mankind.

This was the very track pursued by the government of America. For the utter condemnation of our ambaſſadors, it is uſeleſs to go beyond their own diſpatches, to which we ſhall now return.

On October 18th, one Mr. X. called on Pinckney, and *ſaid* that he had a meſſage from Talleyrand to communicate to him. He mentioned, what has every chance of being true, that the Directory, and eſpecially two of its members, were exceedingly irritated at ſome paſſages of the preſident's ſpeech; and deſired that they ſhould be ſoftened. Mr. X. added "that, beſides this, a ſum of money was required for the "pocket of the directory and miniſters, which would be at the diſpoſal "of M. Talleyrand, and that a loan would be inſiſted on." I feel the moſt perfect conviction that no French man of buſineſs, employed by a French ſecretary of ſtate, upon ſuch an affair, would ever have deſcended to this vulgar phraſe of *the pocket*. That was undoubtedly invented, and inſerted, by the triumvirate themſelves, with a view to the ſubſequent publication of the diſpatches, and the irritation of the people of America. Again, we are informed that Mr. X. "mentioned that the dou-"ceur for the pocket was twelve hundred thouſand livres, about fifty "thouſand pounds ſterling." Here the phraſe of *the pocket* is again hauled in for the ſame treacherous purpoſe. As for the loan, this propoſal was, in the abſtract, perfectly natural, ſince France had in the revolution, relieved America, not only by a loan, but by a gift. As for a douceur to the directory, there was no more harm, or diſgrace, in bribing them than in purchaſing a peace with captain Johnny, with George the third, or with the dey of Algiers. This admiſſion has not the moſt diſtant view to the vindication of French piracies.

In anſwer to Mr. X. "General Pinckney told him, his colleagues "and himſelf, *from the time of their arrival here*, had been treated with "great ſlight and diſreſpect; that they earneſtly wiſhed for peace and "reconciliation with France; and had been entruſted by their coun-"try with very great powers to obtain theſe ends, on honorable terms." Gentle reader! you have ſeen an exact account of the treatment of theſe envoys by Talleyrand; and you cannot point out one atom of ſlight, or diſreſpect. They had been received with politeneſs, when they waited upon Talleyrand, for they do not make the ſmalleſt complaint for want of politeneſs. On the contrary, when he told them that cards of hoſpitality were neceſſary, they ſay themſelves that "he "immediately rung for his ſecretary, and directed him to make them "out." What more could the man do to ſhew his reſpect? Accordingly, "the next day, cards were ſent to us and our ſecretaries, in a "ſtile *suitable to our official character*."

We have already ſeen that, on the 14th, Mr. Oſmond held a conver-

ſation with major Mountflorence, and, in the moſt obliging and delicate terms, made a reaſonable apology for the non-introduction of the ambaſſadors to a public audience of the directory. This was only ſix days after they had been cloſeted with the miniſter. On the 18th, Mr. X. waited upon Pinckney; and then, for the firſt time, we are told of *the great ſlight and disrespect* with which the triumvirate had been treated. From their own journal it is proved that the complaint was a falſe one.

The only point on which the ſhadow of an accuſation can reſt is that the ambaſſadors were not to be publickly received, by the directory, until after their buſineſs ſhould be completed. But this audience the envoys had not the ſmalleſt reaſon to expect, nor the ſmalleſt title to require. They knew beforehand that they were not to be received on this footing. An arrete upon that head had been paſſed by the directory, on the 11th of November, 1796. It was therein reſolved, "that "they will no longer *recognize* nor *receive* a miniſter plenipotentiary from the United States, until after a reparation of the grievances demanded of the American government." This reſolution had been communicated to the latter. Accordingly, Mr. Pinckney was not received. Mr. Adams then appointed three envoys extraordinary. Talleyrand, the miniſter of foreign relations, gave them cards of hoſpitality, or, as an Indian would term it, he preſented them with *the pipe of peace*. The way to negociation was thus laid open; but in conſequence of the arrete above mentioned, the envoys could not expect to be *recognized*, or *received*, in a public manner, until the contending governments ſhould arrive at a proper explanation. All this was but an empty form, and afforded no juſt foundation for American murmurs. We proceed with the journal of the embaſſy.

On the 19th of October, Mr. X. called again. As to the *loan*, he ſpoke thus: "the French government deſires, beſides, to obtain a loan "from the United States; but ſo that that ſhould not give any jealouſy to the Engliſh government, nor hurt the *neutrality* of the United States."

Nothing could be more candid, moderate and rational, than the tone of this propoſal. It has been affirmed, for twenty millions of times, that, by the laws of nations, this loan muſt have implicated the continent in a war with Britain. If that was true, the French had much more provocation to commence hoſtilities againſt America. The whole Britiſh Weſt-Indies derived their ſubſiſtence from American produce, which was exported to them by American merchants, in defiance of the plain meaning of the eventual and defenſive alliance of 1778. At the ſame time, horſes were publickly exported from Virginia to mount the Britiſh cavalry in the Weſt-Indies. This, to be ſure, was a precious kind of neutrality! For ſuch an atrocious intercourſe between the United States, and the Britiſh iſlands, a loan to the French government would have preſented a moſt inadequate compenſation. But on this point I ſhorten the fore-ground. It is certain that the propoſed loan could not have ſupplied England with a juſt pretence for making an American war. The real truth was that Mr. X, and the French government, knew that the American envoys were pre-diſpoſed for a quarrel with the republic. On this account, and for the

fake of pacification, both X, and the directory, retired from ground which *they were warranted to keep*. They granted, as true, what they knew to be falfe, that a formal loan from America to France would afford a pretence for complaint on the part of England. By this conceffion, by anticipating and cutting up all poffible objections, in fhort, by propofing to difguife this loan, Mr. X. defigned to fecure his ultimate object of obtaining it. But I muft affirm, as a moft notorious fact, that by the *practice* of the nations of Europe, fuch a loan furnifhed no reafon for the complaint of a third party. The fubject will be handled at full length, in the fecond part of this work. I now go back to the amicable and reafonable propofition of X. who tells the ambaffadors in what manner this American advance of money might be difguifed. "This loan," fays he, "fhall be maſked by ſtipulating that the government of the United States conſents to make the advances for the "payment of the debts contracted by the agents of the French government with the citizens of the United States; and which are already acknowledged, and the payment ordered by the directory, but "without having been yet effectuated."

It may be debated whether it was proper for this country to make fuch an advance of money. But there could be no harm in the propofal from Talleyrand. The triumvirate could not expect that he was, at the firft brufh, to give them every thing in their own way. When this propofal was publifhed in America, there was raifed againft the French an univerfal and furious outcry. The bribe for *the pocket*, alfo, furnifhed an endlefs theme. On this fubject, many perfons feemed to have got their heads turned. Yet, if a prefent of fifty thoufand pounds fterling could have purchafed the perfonal friendfhip of the directory, it is impoffible that the money could have been more fortunately expended. As to the point of *morality*, with that we had no concern. As for the point of honour, the federal government had previoufly paid a tribute of four thoufand dollars to the cook of the Dey of Algiers.*

On the 20th of October, Mr. X. introduced M. Y. to the ambaffadors. This gentleman held himfelf out as the confidential friend of Talleyrand. He obferved that the directory "had neither acknowledged nor received us, and conſequently have not authorifed M. "Talleyrand to have any communications with us. The minifter, therefore, could not fee us himfelf; but had authorifed his friend M. Y. "to communicate to us certain propofitions, and to receive our anfwers "to them."

You will obferve that almoft the whole of this exordium conſiſts of untruth. Talleyrand had actually received meffages from the ambaffadors. In that character, he had converfed with themfelves at his own houfe. He had treated them with politeneſs. He had fupplied them with cards of hofpitality. He had told them that he could not, for a few days, enter into buſineſs with them; but that he would fhortly

NOTE.

* *In dividing the money ſent from America, each officer in the ſervice of the Dey had his particular ſhare ſpecified in a private ſchedule, given to the ambaſſador. The above is ſaid to be one article of the bill.*

begin to negociate. He sent his secretary, to make an apology, in the most delicate manner, to their secretary, for the postponement of the directory with regard to granting them a public audience. The ambassadors could not, upon any principles of common sense, ask for a more amicable reception.

In the face of all these facts, which appear upon their own journal, M. Y. says that the directory had not authorised Talleyrand *to receive these envoys*, and that *therefore he could not see them himself*. If M. Y. did really say so, he told two notorious lies. Hence, he was unworthy of farther attention, and they should have turned him out of the room. They well knew that Talleyrand had communicated with them, that he had promised to proceed with their business. After all this had past between him and them, here comes a stranger who tells them the most audacious falsehoods, that Talleyrand had not authority to receive them, and *could not see them!*

The story of M. Y. admits but of two methods of solution. The first, and apparently the most probable, is, that these phrases were either invented or exaggerated by the triumvirate themselves. In that case, they must be held as knaves. The second supposition is that M. Y. did really speak in this stile, and that the ambassadors did honestly believe him. In this latter case, they must have been the greatest fools that were ever sent upon such an important errand. In express contradiction to the testimony of their own experience, and their own senses, they believed the word of this stranger when he affirmed a direct falsehood; when he affirmed that Talleyrand could not see them. In this alternative between knavery, and folly, it seems to be but of little consequence what M. Y. chose to say, or what those envoys chose to believe.

The reader ought not to feel himself hurt by the frankness, or severity, of this stile. For adulation, or trimming, he must seek somewhere else. Without regard to prejudice, without hunting for factious applause, the author makes it his constant rule, to examine with diligence and candour, to express with brevity and precision.

The very next sentence of the dispatches, after that last quoted, is in these words: "M. Y. stated to us *explicitly* and *repeatedly*, that he "was cloathed with no authority; that he was NOT a diplomatic char- "acter; that he was not ****† he was only the friend of M. Tal- "leyrand, and trusted by him; that with regard to himself, he had "******‡ and that he earnestly wished well to the United States." After such *explicit* and *repeated* declarations on the part of M. Y. it was the greatest absurdity in the ambassadors to hear another word from him. I, therefore, pass over the bulk of this wild conversation, which concludes in these words. "He answered that M. Talleyrand him- "self was not authorised to speak to us the will of the directory, and "consequently could not *authorize him!*" Thus the stranger begins and ends his conference, by telling the triumvirate that they ought not to trust him. You must observe that both M. X. and M. Y. had in-

NOTES.

† *Here is a blank in the journal.*

‡ *Another blank.*

introduced themselves to these ambassadors without the smallest atom of credentials, or documents, from the French minister. There was not so much as a second hand intimation from Talleyrand's secretary, that these persons were to call upon them.

The journal says that, on "October the 21st, M. X. came "before nine o'clock: M. Y. did not come until ten. He had "passed the morning with Talleyrand." By this driveling style, so fit for Mrs. Quickly, the triumvirate have battered into forty pages a story that Monroe would have told in four. As for Y's having *past the morning with Talleyrand*, we have only his word for it, and it has already been proved that either he was in the habit of fibbing, or that fictions were invented in his name. I pass over a great deal of trash, and hasten to the following amazing passage. "M. Y. said we treated "the money part of the proposition as if it had proceeded from the "directory; whereas in fact it did not proceed even from the minister, "but was only a suggestion from *himself*, as a substitute to be proposed "by us, in order to avoid the painful acknowledgment that the direc- "tory had determined to demand of us." [Here we have as complete an exculpation both of Talleyrand, and the directory, as it is possible to conceive; and it must again be asked why these envoys disgraced themselves and their country, by holding any further correspondence with so insolent a swindler? But, from their own statement, it is evident that the ambassadors were anxious to fasten upon the French government an accusation of corruption. Instead of telling one of their servants to shew the gentleman the way down stairs,] "it was told "him," says the journal, "that we understood that matter *perfectly*; "that we knew the proposition was in form to be ours; but that it "came *substantially* from the minister." They had no reason for thinking that, when M. Y. told them, in the strongest terms, that the project of bribery came exclusively from *himself*. It was upon such evidence of the guilt of the directory, that the people of America ran half out of their senses. The sudden ferment excited in Philadelphia, can be figured by nobody but those who saw it.

"We observed," adds the journal, "that these gentlemen had "brought no testimonials of their speaking any thing from authority; "but that relying on the fair characters they bore, we had believed "them when they *said* they were from the minister, and had conversed "with them in like manner as if we were conversing with Talleyrand "himself; and that we could not consider any suggestion M. Y. had "made, as not having been previously approved of." Such was their language to X. and Y. Citizens of Virginia! pause for one moment, and, in the name of all that is intellectual, I conjure you to think of such consummate ideotism! In a word, the triumvirs were to put confidence in every swindler who told them that he was the friend of Talleyrand. They were to believe such swindlers, in spite of their trumpeting, for hours together, a chorus of the most egregious lies, absurdities and contradictions; in spite of their being incessantly told by these fellows themselves that they had not a particle of authority from Talleyrand, or the Directory! Virginians! Can ye look back without astonishment and shame, when you reflect that *this* was the diplomatic demonstration of the perfidy of the French minister! If Marshall did really believe what he said, if he put trust in sharpers who assured him

that he had no authority for truſting them, what are you to think of the man's underſtanding? *The country girl, to scarce a curtsey bred,** could not have acted with more infantine ſimplicity. Moſt certainly, ſir William Temple, and Cheſterfield, and Kaunitz,† and Sully, did not conduct their embaſſies upon ſuch a foundation! But our ambaſſadors can be compared with nothing upon this ſide of bedlam.

SKIPPING over a labyrinth of converſation, we come to the 22d of October, when "M. Z, a French gentlemen of reſpectable charac-"ter, informed Mr. Gerry, that M. Talleyrand had expected to have "ſeen the American miniſters frequently in their private capacities; "and to have conferred with them individually, on the objects of their "miſſion; and had authorized M. Z. to make this communication to "Mr. Gerry." Upon the 8th, they had viſited the miniſter. On the 9th, he ſent them cards of hoſpitality. On the 14th, he ſent them an indirect meſſage by his private ſecretary; and here upon the 22d, he ſends to enquire what had become of them, and why they did not call upon him in the proſecution of their buſineſs? The journal proceeds in theſe words: "the latter [to wit, Mr. Gerry,] "ſent for his col-"leagues; and a conference was held with M. Z. on the ſubject; in "which general Pinckney, and general Marſhall, expreſſed their opin-"ions, that, *not being acquainted with M. Talleyrand*, they could not "with *propriety*, call on him; but that, according to the cuſtom of "France, he might *expect* this of Mr. Gerry, from a previous acquain-"tance in America. This Mr. Gerry reluctantly complied with on "the 23d."

THIS paſſage proves, in the cleareſt manner, that theſe people went to France, not for the purpoſe of promoting peace, but for that of enſuring war. Let us, for one moment, acquit thoſe embaſſadors of the blackeſt treachery, and then, by the genius of Cervantes! it is impoſſible to figure conduct more abſurd and ridiculous! Go four thouſand miles to form an agreement with France, and then refuſe to viſit the French miniſter! to viſit him, when he ſends for you in the kindeſt terms! and after you have been aſſured that he is the ſole perſon with whom you are to proceed to buſineſs! To the ſullenneſs of pride this refuſal ſuperadds the baſeneſs of falſehood. *You were not previously acquainted with him!* If the fact had been true, the apology was to the laſt degree, prepoſterous; but the gentlemen themſelves inform us that the fact was falſe. Only fourteen days before Talleyrand's ſecond invitation, they had viſited and conferred with the French miniſter. This unqueſtionably formed a *previous acquaintance*. But farther, if they were not acquainted with Talleyrand upon the 22d of October, moſt aſſuredly they were as little acquainted with him upon the 8th. Hence it follows that, when they firſt came to Paris, they ſhould not have waited upon him at all. But after they had once held a conference with Talleyrand, this pretence of their *not being previously acquainted with him* reſolves into ſtark naked nonſenſe. Men of Virginia! Can you digeſt ſuch impoſtures? The famous Popiſh plot, or the warm-

NOTES.

* *Dryden.*

† *See his character, in the poſthumous hiſtory of the king of Pruſſia.*

ing pan, Madiſon's French penſion, or his conſpiracy with Giles and Jefferſon for the cutting of all your throats,* does not iſſue in more frantic buffoonery than this refuſal of John Marſhall to viſit Talleyrand! What a ſtrange compound of ſenſe and folly muſt the public be! and how wretchedly was the Jack-Aſs of Virginian credulity dragged by his long ears, when the bells of Richmond rang for joy at the entrance of Coteſworth Pinckney!

Gerry ſays that he went *reluctantly* to viſit the French miniſter. For this *reluctance* he does not aſſign a reaſon, or even a pretence; and therefore the true reaſon muſt have been that he was afraid of tranſgreſſing the *unprinted* part of his orders. By the bye, if we are never to viſit a perſon unleſs we have been *previouſly* acquainted with him, it is impoſſible that an intercourſe with the reſt of the ſpecies ever can exiſt; for the *firſt* viſit muſt always precede an acquaintance. Compared with theſe diſpatches the Koran becomes a plauſible and coherent compoſition.

To ſum up this caſe in a few words, envoys are ſent from the United States to confer with the French government. They wait upon the miniſter for foreign affairs, upon that perſon who is to them, the official repreſentative of the French nation. He gives theſe envoys a cordial reception. Within a few days thereafter, he ſends for them, a ſecond time. His meſſage is accompanied with the moſt obliging expreſſions of ſurpriſe and regret that they had not, during this interval, paid him *frequent* viſits, in the double capacity of private friends, and of public miniſters. Marſhall and Pinckney refuſe to go, becauſe they are not previouſly acquainted with him. The ſame objection would have prevented them from accepting of an invitation from the directory. This objection they ſhould have ſtarted in America, before they pocketed their thirty ſix thouſand dollars. Mr. Adams could then have ſelected agents more flexible. In December, 1796, Mr. Pinckney had no ſuch ſcruples. From his own correſpondence it is evident that he would have been very glad to viſit the predeceſſor of Talleyrand, if the French miniſter had been willing to receive him. The difference of his behaviour muſt have reſulted from the difference between his firſt and his ſecond ſet of inſtructions. Mr. Waſhington was not quite ſo much fettered as Mr. Adams in the Britiſh intereſt. He had himſelf been a ſoldier. Hence he was not ſo fond of war, as a man of the pen, who had ſeen almoſt none of its calamities but upon paper.

Make the ſuppoſition that when Genet arrived at Philadelphia, he had paid a viſit to Mr. Waſhington. Soon after, the preſident ſends for him to dinner. "I cannot come," ſays Genet, "for I am not pre-"viouſly acquainted with you." If Genet had been capable of ſuch folly, the whole continent would have conſidered him as out of his ſenſes. There is not even the ſhadow of a diſtinction between this imaginary caſe and the actual behaviour of theſe precious ambaſſadors. The conſtituent materials of treachery, and of madneſs, are exactly the ſame both in France and America.

NOTE.

* *History of* 1796, *Chap.* II. and VII.

SEND a meſſage to John Marſhall at the capitol. Bid him come to Rocket's, or Bacon's Branch, to get a fee of an hundred dollars. He will not refuſe this invitation, becauſe he is *not previously acquainted* with his client. Upon the immutable principles of common ſenſe, his refuſal to viſit Talleyrand can be aſcribed only to one cauſe, that is, to *private* inſtructions from the cabinet at Philadelphia, for the promotion of a French war.

So much for Marſhall and Pinckney! Gerry conſented to viſit the French Miniſter, but he did this *reluctantly*. It was not conceivable that ſuch an embaſſy could ſucceed. Talleyrand muſt have been perſuaded that the triumvirate were either crazed, or ſomething worſe. The word *reluctantly* muſt have been deſigned as a tacit excuſe to Mr. Adams for Gerry's raſhneſs in making this faint approach to his duty. His meaning was this: "do not be ſtartled becauſe I have gone to viſit the French miniſter. He has been moſt provokingly civil and attentive to us. My two colleagues have refuſed to wait upon him; and this, of itſelf, is a perſonal affront which he cannot forget, although he may poſſibly deſpiſe it. I ſhall take care not to be too forward in making advances. In ſhort, your excellency ſhall have your French war. You ſhall have a pretence for calling upon congreſs for loans and taxes, for armies and navies. You ſhall double the public expences. You ſhall multiply, in a ten fold proportion, the tribe of penſioners, and place hunters, of ſycophants and exciſemen. You ſhall fill the country with adventurers in blue coats faced with red. They ſhall reſcue horſe-ſtealers and watch-ſtealers,* flog republican printers, aſſault and ſtab your peaceable fellow citizens on the ſtreets of New-York, and Boſton,† and proſecute for defamation the jacobins who dare to complain of theſe outrages.‡ Of this army, you ſhall appoint the moſt blaſted poltroon, the moſt infamous ſcoundrel in America, to be the major general. You ſhall peſter the country with faſt days. Your time-ſerving parſons ſhall make the pulpit ring with the doctrines of deſpotiſm. In the name of the God of peace you ſhall take every poſſible meaſure for the excitement both of foreign and domeſtic war. You ſhall proſecute the widow of Thomas Greenleaf, for copying from the Conſtitutional Telegraphe a trifling article diſrepectful to your favorite commander. You ſhall ſend her foreman to Bridewell for four months, on account of this publication; and every body ſhall wonder why you did not proſecute the original printer, and twenty other editors who copied this piece, and who were exactly juſt as guilty, or, as innocent, as David Frothingham. You ſhall dictate to courts of juſtice, and you ſhall complain that they are corrupted. You ſhall deliver up a Connecticut ſeaman to be tried for a moſt commendable action, by a Britiſh preſs gang jury. And amidſt the curſes of every honeſt man, you ſhall be able to ſleep ſound in your bed, while the bones of your murdered fellow citizen are bleaching upon a gibbet, at the mouth of Kingſton harbour.

NOTES.

* *At Richmond and Briſtol.*

† *All this has happened, in the ſtrict and literal ſenſe.*

‡ *This is a fact. Miercken* verſus *Duane.*

" You shall be accused by Robert Liston, as an associate in the Bri-
" tish conspiracy* for crushing the invincible and immortal republic of
" France. His printer and John Ward Fenno shall upbraid you, with
" all their fury, for the most defensible action of your life. They shall say
" that you have irredeemably disgraced your country; and you shall
" not dare to punish them. Like commodore Trunnion, upon the day
" after his marriage, you shall discover that you are only the *second*
" person in your own house; and you shall prattle about the dignity of
" the federal government. You shall encourage a thousand libellers
" to lampoon Thomas Jefferson. You shall imprison Luther Baldwin,
" and you shall spunge him of four hundred dollars, for speaking with
" irreverence, when he was in liquor, of your excellency's backside.†

" You shall succeed in your favorite scheme of crushing the *antient*
" *dominion*. You shall destroy her tobacco trade. Before your bale-
" ful administration, the medium price of this staple was from ten to
" eleven dollars per hundred weight. In the fall of 1799, and as the
" consequence of your misconduct, tobacco shall tumble to three dol-
" lars, or three dollars and an half, per hundred. Virginia produces,
" per annum, one million of hundreds weight; and this downfall of
" the market price, at seven dollars per hundred, comes to an annual
" extinction of seven millions of dollars.‡ Last, and most wonderful,
" in the midst of such doings, the house of delegates of Virginia shall
" contain sixty members, who think that your administration is the
" wisest, and most fortunate, in the world."

THUS far Mr. Gerry. That the president had, at that time, projects like these in his head there is the best reason to assert, because, in the sequel, we have seen them put into execution.

NOTES.

* *This is the real amount of his intercepted correspondence.*

† *The fine was two hundred and fifty dollars; and the prisoner's expences came to an hundred and fifty dollars more.*

‡ *It has already been stated, upon the most authentic information, (Supra, Cap. 4th,) that, in consequence of the French intercourse act, tobacco has been sold for six dollars and an half in Alexandria, while, at Bourdeaux, it could have brought fifty dollars. So great a dearth of tobacco had never before been heard of in France. Hence it is very moderate to estimate the average loss upon the crop of* 1798, *at seven dollars per hogshead. The crop of the present year is the greatest ever known. An immense extra expence in the raising of it, has been incurred by some thousands of planters. The quarrel with France has been carefully kept open, by suppressing the amicable advances of the French government, by the very unseasonable capture of the French frigate, by the alliance with Toussaint, whom the French regard as a rebel, and by a torrent of the most scurrilous libels against the French revolution, and against every man in this country who approves of its principles.*

The collective loss for two years, upon the last year's crop, and the present one, cannot be estimated at one cent less than FOURTEEN MILLIONS OF DOLLARS. *For Heaven's sake think of these things.*

There muſt have been ſome dirty ſecret at the bottom of Gerry's *reluctance*, and the preceding addreſs to Mr. Adams preſents the moſt probable gueſs that can be given. When people contradict all common ſenſe, it is no wonder that they ſhould contradict themſelves. Accordingly, in another part of their diſpatches, theſe ambaſſadors ſay that "they will permit no *personal consideration* to influ- "ence their negociations with the French republic;" and that "they "are too ſolicitous to enter upon the important and intereſting duty of "their miſſion *to permit themselves to be restrained by forms of eti-* "*quette.*"*

COMPARE theſe profeſſions of ſincerity with the conduct of thoſe envoys, as it has been recorded by themſelves. Their own diſpatches exhibit the moſt convincing documents for their abſolute condemnation.

WHEN DR. FRANKLIN went to Paris, he was not previouſly acquainted with Vergennes; nor was Governor Monroe in habits of antient intimacy with the ſucceſſors of Robeſpierre. Yet it muſt have been conſidered as very ſtrange behaviour, if theſe two ambaſſadors had, upon ſuch a pretence, refuſed to tranſact buſineſs with the French government. In that caſe, all mankind would have pronounced them to be traitors. In Auguſt, 1794, when the preſent governor of Virginia arrived at Paris, the committee of public ſafety were unwilling to ſee him. He did not like a fool, come home again, with a fit of the vapours, becauſe he was not inſtantly invited to a public audience of the committee. "I thought it incumbent on me," ſays he, "to break "through theſe difficulties, and expedite my reception.—I therefore "addreſſed a letter to the preſident of the convention." This is the ſtile and conduct of a man who was in earneſt. Accordingly, Mr. Monroe was received, next day, by the convention themſelves, over the heads of the committee of public ſafety.

ON the 23d of October, Mr. Gerry went to viſit Talleyrand. This was in conſequence of the meſſage by M. Z. The miniſter was not at home, and Gerry paid him a ſecond viſit upon the 28th. The diſpatches do not tell us why the ambaſſador deferred his ſecond viſit for *five whole days*, at a time, when every moment was precious, and when the only buſineſs which he had to do in Paris, was to ſee Talleyrand. At this interview, the miniſter ſpoke not one word of the bribery propoſal. Gerry ſaid that "as he (Talleyrand) had expreſſed a deſire to confer "with the envoys individually, it was the wiſh of Mr. Gerry that ſuch "a conference ſhould take place.—Talleyrand, in anſwer, ſaid, he "ſhould be glad to confer with the other envoys individually."

From this 28th of October, the ambaſſadors remained in a dormant ſtate, until the 11th of November following, that is to ſay, for ano-

NOTE.

* *The Aurora of May*, 1798, *contains an essay, ſigned Anti-Machiavel, in which there is a candid examination of these dispatches. From this essay, the two quotations made in the above sentence have been transplanted. There is no doubt of their fidelity, but in haſtily turning over the* eternal *dispatches themselves, I have not yet been able to find them.*

ther ineſtimable fortnight; while American ſhips were captured in whole fleets by French privateers. Gerry had ſaid to the French miniſter that it was his wiſh that Marſhall and Pinckney ſhould call upon Talleyrand. They did not chuſe to do ſo. This was their attention to the buſineſs of their country. This was their method of earning thirty-ſix thouſand dollars.

On the 11th of November, they did again make an application to the miniſter. They did not call upon him perſonally, as they had been ſo frequently, and ſo earneſtly, requeſted to do. They choſe rather to make their approaches upon the ſtilts of an official letter, of a letter that contains a multitude of fabulous and impertinent affirmations. On the 21ſt, they ſent major Rutledge to enquire whether they were to expect an anſwer to their letter. It is likely that, by this time, the miniſter had begun to be chagrined, and if John Adams had been placed in his ſituation, he would moſt certainly have been out of temper. Talleyrand replied that he had ſubmitted this letter to the directory, that they would order him what ſteps to purſue, and that of theſe, the ambaſſadors ſhould receive information. It does not appear that, upon this occaſion, the miniſter repeated his hoſpitable invitations to a private and perſonal conference. He peaceably permitted them to wrap themſelves up in their own importance. The man muſt have become tired of thus attempting *to charm the deaf adder*. During all this time, the triumvirate, by a ſingular perverſeneſs of diligence, were giving attention to the projects of X. and Y. In a letter to Pickering, dated the 27th of November, they have theſe words:

"Frequent and urgent attempts have been made to inveigle us "again into negociation with perſons not officially authoriſed, of which "the obtaining of money is the baſis; but we have perſiſted in decli- "ning to have any further communication relative to diplomatic buſi- "neſs with perſons of that deſcription." The trio have never been able to give a ſufferable reaſon for liſtening, even in the firſt inſtance, to theſe characters. Can you believe that Madiſon, or Monroe, would have heard ſuch perſons to an end even of their firſt converſation? Aſſuredly they would not. The king of Pruſſia remarks, that, upon a particular occaſion, Voltaire attempted to commence a negociation at one of the courts of Germany. "He attempted to do this," ſays Frederick, "*without credentials*, and he became an object of univerſal de- "riſion."* But if that moſt admirable writer had gone ſo much farther as to adviſe a Britiſh or Auſtrian ambaſſador to give a bribe to a French ſecretary, had he done this without credentials of any ſort, and in the blunt vulgar ſtile aſcribed to the French agents, Prince Kaunitz, or the Earl of Stair, would not have behaved like theſe miſerable American bunglers. They would not have liſtened, from week to week, to ſuch folly and impertinence. The Britiſh and Imperial courts, alſo, muſt have felt a ſenſe of decorum and of dignity ſuperior to the publication of ſuch trumpery. The federal government is marked out from thoſe of all other civilized nations. This New-England cabinet bears about

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NOTE.

See, *The Hiſtory of my own Times*. The above tranſlation has been made only from memory, as the original French is not at hand.

it a peculiar effrontery and vulgarity in the fineſſe of popular deception, a peculiar deſtitution of pride, of principle, and of ſhame, which *diſgrace the annals of no other country whatever*, and which we can diſtinguiſh and feel, without perhaps being capable completely to expreſs them.

From the meſſage by Major Rutledge, of November 21, we hear of no more applications to Talleyrand, until the 17th of December, that is to ſay, for *twenty-ſix days longer*. Such was the ſnail's gallop of the triumvirate. During this interval, theſe envoys were holding converſations with X. and Y. and in December 20th, a lady is brought forward. She ſtates to Pinckney ſome natural and innocent obſervations. On that account her character has been reviled in an hundred newſpapers. She only told this envoy what he might have heard at every toilette in Paris; and the reader does not require to be informed of what *reſpect* is due to the man who has abuſed and betrayed the ſacred confidence of his own gueſt, of an amicable ſtranger, and of a defenceleſs woman.

At this point I ſhall, for the preſent, quit theſe diſpatches, with a few general remarks.

The perſons at Paris, who were implicated as demanding bribes from the American government, have publiſhed denials of every ſuggeſtion which can be termed diſhonourable. The arrangement of teſtimony againſt them ſtands as follows, to wit: Gerry, who voted for the Hamilton bank; Pinckney, who has, in this chapter, been convicted of an explicit and malicious untruth; and laſtly, the pay-maſter of ſtrong liquors, the barbacue repreſentative of Richmond.*

The federal party in the preſent aſſembly of Virginia have done their utmoſt for provoking this diſcuſſion of the bribery diſpatches. On December 6th, 1799, the aſſembly proceeded to the choice of a governor for the ſtate. In the debate that enſued, Mr. George Keith Taylor repreſented that Mr. Monroe had been diſmiſſed from his French embaſſy by the executive, and that to choſe him as governor would amount to ſaying that the executive was *in the wrong*. This was a very poor argument for the rejection of Mr. Monroe; and beſides, it embraced the moſt tyrannical inferences. If the aſſembly of Virginia are not at liberty to chuſe a governor who has fallen under the diſpleaſure of the preſident, it would be much better for them, at once, to go home again. Nothing can be more inſolent than ſuch an admo-

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NOTE.

* It is well known that Mr. Marſhall, at his hopeful election for this diſtrict, gained a conſiderable number of votes, by aſſuring people that his political ſentiments were the ſame with thoſe of Mr. Clopton. In Hanover county he threw billets into the bonfires, and danced around them with his conſtitutents. On the ſide of Mr. Clopton, and of his friends, there was almoſt no effort whatever. The citizens were left to the freedom of their choice. When this circumſtance comes into conſideration, it can be no longer ſurpriſing that Marſhall was ſucceſsful.

nition. Mr. Taylor had read Mr. Monroe's book, and from this ſource inferred that his embaſſy had been injurious to his country.

Mr. Richard Bland Lee obſerved that Mr. Monroe, when in France, did not ſupport the dignity of an American ambaſſador. He did not do what he had been expreſsly enjoined to do, by the chief magiſtrate. Mr. Lee preſſed home the idea that Mr. Monroe had *brought himself forward* as a candidate for this important office.

Such attacks upon Mr. Monroe were but an humble echo to the invectives vented againſt that gentleman by Mr. Adams himſelf. In his anſwer to an addreſs from Lancaſter, the Preſident goes out of his way to tell his conſtituents that the governor of Virginia was "*a minister* "*recalled in* DISGRACE." Mr. Adams might have recollected what Junius ſays of Mr. Legge: "ſuch a man may be diſmiſſed; but he cannot "be diſgraced." What a contraſt is there exhibited between the perfidious fiddle-faddle diſpatches of X. Y. and Z. and the manly periods, the compacted information, the ſenſe, candour and perſpicuity of Monroe! In paſſing from the latter to the former, the mind feels a ſudden fathomleſs precipitation, like that from Tacitus to Moll Flanders, from Tyrtœus and the Marſeilloiſe hymn, to the Black Joke, and Joſeph Hopkinſon.*

By ſending theſe ambaſſadors to Paris, Mr. Adams and his Britiſh faction deſigned to do nothing but miſchief. This is, and it always has been, the univerſal opinion of the republican party; and it ſeems very hard if *one* man may not print what an hundred thouſand profeſs themſelves to believe. Will theſe hundred thouſand ſtand tamely by, to ſee the ſingle man oppreſſed and overwhelmed by tyranny, becauſe he has the courage and honeſty to advance one ſtep beyond themſelves in the march of truth?

In Summer, 1798, ſoon after the publication of the bribery diſpatches, there paſſed a tranſaction that throws light on the views and wiſhes of the conſpirators for a French war. Dr. George Logan, a native of Pennſylvania, and a citizen of independent fortune, ſet out from Philadelphia on a voyage for Europe. He had ſcarcely got under ſail, when a hue and cry was raiſed all over the continent that Dr. Logan was gone upon a treaſonable embaſſy from Jefferſon, and his American jacobins, to the French directory. The next generation will hardly believe the impreſſion which was made upon that precious commodity, the *public mind*, by this audacious and ſtupid fiction. Agreeable to an American cuſtom, the party next attacked Mrs. Logan, juſt as they have libelled Mrs. Monroe, Mrs. Dallas, Mrs. Bache, Mrs. M'kean, and Miſs Sally M'Kean, who is now the Spaniſh ambaſſador's lady. In England, when a political writer is to reprehend Sheridan, or the prince of Wales, he never introduces Mrs. Sheridan, or the Princeſs. But America, to be ſure, is a *new* world. Dr. Logan viſited Paris. He interpoſed with ſome perſons in power. He ſaved from confiſcation American property to the extent of five hundred thouſand dollars; and if a French war can be averted, ſome part of the praiſe muſt be given to that intelligent and enterpriſing citizen.

NOTE.

* *Author of* Hail Columbia.

On his return, Dr. Logan was ſtopt and inſulted at Fort Miffin, by a French ariſtocrat, who commands the garriſon. For ſome days, the city and neighbourhood of Philadelphia were kept in a kind of uproar. Since that time, a whole year has elapſed, and the utmoſt diligence of malignity has not been able to diſcover one ſingle circumſtance in the conduct of Logan upon which it is poſſible to faſten an intelligible cenſure. At the ſitting down of congreſs, in December, 1798, the whole faction in that body broke looſe upon him, like as many bloodhounds. Thatcher, Harper, Otis, and the reſt of Liſton's poſſe, made their ſlanders and falſities to fly as thick as hail. Inſtead of the ſtatue that Rome, or Athens, would probably have erected to the honour of Dr. Logan, he was ſaluted with an act for the prevention of ſuch practices in future. When ſhall the hangman burn this ſtatute?

THUS the Britiſh faction would neither ſuffer their own ambaſſadors to make a peace with France, nor permit a citizen to interpoſe with his good offices. Men of Virginia! This is the glorious government, which draws from your pockets twenty-five hundred thouſand dollars, per annum, beſides the net ſeven millions of dollars that are annually ſunk upon the price of your tobacco!

To the hiſſing of ſuch reptiles as Pickering and Harper, Dr. Logan can oppoſe the language of American citizens in France, of men whom he ſaved from the riſk of ruin. At Bourdeaux, he received upon September 8th, 1798, an addreſs ſubſcribed by fourteen maſters of ſhips, and other perſons, from whom his interference had averted confiſcation. He had alſo procured freedom for a conſiderable number of ſeamen. For all theſe offences, the printer to the ſenate of congreſs arraigned him as a traitor to his country, and as *a brute* in domeſtic life. What are you to think of the Senate that employ ſo notorious a printer? In anſwer to them, and their typographical ſcavenger, here follows the copy of a letter, dated Bourdeaux, September 8th, 1798.

" SIR,

" A HABIT of trade of many years ſtanding, with the United States " of America, has in the late difficulties between the two countries, " enabled us to feel how much we are indebted to your laudable en- " deavours to prevent this country from acting hoſtilely, after the late " occurrences in America; and how much we are beholden to you in " particular, for the convincing proof of the good intentions of this " government, in taking off the embargo they had laid on all Ameri- " can veſſels. Pray excuſe this abrupt manner of delivering our ſen- " timents, but as acting for our friends in America, we find ourſelves " more particularly obliged,—we feel ourſelves gratified in thus aſſu- " ring you of our eſteem. We wiſh you a ſucceſsful paſſage over to " America, and remain, Sir,

" Your cordial friends,

" SKINNER, FENWICK & BROWN."

To Dr. Logan of Philadelphia.

BEFORE parting with our incomparable French ambaſſadors, I muſt add a few MORE *laſt words.*

On the 20th of October, M. Y. told these people that Talleyrand "could not see them himself." On the 22d, Talleyrand sent for them to come and see him. At the same time, he gave notice of his surprise that they had not *frequently* called upon him. This message advances in direct contradiction to the assertion of M. Y. that the minister could not see them. It shews that M. Y. was acting as an impostor, if it be true that he really said those words; but it seems at least quite as probable that John Marshall invented them. This message from Talleyrand affords the strongest possible evidence that he was innocent; yet the triumvirs take not a single step towards an explanation with him. On the contrary, they hasten to bundle up and send home their volume of slander, that the people of America might be scared by this phantom of French rapacity.

In a memorial of March 18th, 1798, the French minister complains, and with the utmost reason, of the licentiousness of those American newspapers, which are "known to be indirectly under *the controul of* "*the cabinet.*" In their answer, the ambassadors *deny* this charge. They say that "in fact, government is believed to exercise no influ-"ence over any press." They might as well have told Talleyrand that dogs do not bark, or that water does freeze in America. After such a solemn, deliberate, and unblushing falsehood, these men are unworthy of confidence upon any subject whatever. John Marshall had always been a zealous republican till the time that he made the Fairfax purchase. He then wheeled round, and he was selected by John Adams for this embassy, because it was known that his purchase had pledged him, through thick and thin, to vindicate Jay's broken up treaty.

The publication of this execrable farrago from Paris was the tocsin that sounded the charge to the alien and sedition acts, to the loan of five millions, to the prohibition of intercourse with France, and to the rest of that regiment of profligate and despotic laws, which, in one shape, or other, have already cost us thirty or forty millions.*

And it was upon this notable foundation that the president penned his inimitable answer to *the boys* of Boston. In that paper, with all the cowardly insolence arising from his assurance of personal safety, with all the fury, but without the propriety, or sublimity of Homer's Achilles, this hoary headed incendiary, this libeller of the governor of Virginia, bawls out *To arms! then, To arms!* It was, floating upon the same bladder of popularity, that Mr. Adams threatened to make this city the centrical point of a *bonfire.*†

NOTES.

* *This computation comprehends the fourteen millions of dollars upon the fall of tobacco, besides the immense loss upon some other articles of export.*

† *Vid. the answer to some citizens of Bath county.—George Nicholas observes that this was* "*a threat the more insulting, because it was* "unprovoked; *not being caused by any thing which had been done in* "*that state, but proceeding from an anticipating fear, that she would* "*do something, which the servant using the threat was pleased to sup-*"*pose would be improper.*"

READER! doſt thou envy that unfortunate old man, with his twenty five thouſand dollars a year, with the petty parade of his birth day, with the importance of his name ſticking in every other page of the ſtatute book? Alas! He is not an object of envy, but of compaſſion, and of horror! With Connecticut more than half undeceived, with Pennſylvania diſguſted, with Virginia alarmed, with Kentucky holding him in defiance, having renounced all his original principles, and affronted all his honeſt friends, he cannot enjoy the ſweet ſlumbers of innocence. He cannot hope to feel the moſt exquiſitely delightful ſenſation that ever warmed a human breaſt, *the conſciouſness of being univerſally and deſervedly* BELOVED.

HAVING diſpatched this long digreſſion, we ſhall now proceed with diſcuſſing the perſonal merit of thoſe members of congreſs, who voted for the *act concerning aliens*.

JOHN RUTLEDGE junior was another of the ariſtocrats of South-Carolina. This gentleman has lately been arraigned in the Examiner, and has, on the cleareſt evidence, been convicted of ſomething very like ſlander. He voted for the alien and ſedition laws; but he is by no means either ſo noiſy, or indecent as ſome of his aſſociates. Of the ſtate of his political knowledge, it is difficult to form an opinion. The ſpeakers on the Britiſh ſide are ſo frequently compelled to ſubſtitute fiction for reality, that it is not eaſy to diſtinguiſh when they do ſo from ignorance and when from deſign. Mr. Rutledge came firſt to congreſs in May 1797. A ſingular circumſtance attended his outſet. Rutledge is a relation of Charles Coteſworth Pinckney, and it was not then underſtood what party he would embrace. The popular complaint of that time was the diſmiſſion of Pinckney. The republican members muſt have ſeen the peeviſhneſs and weakneſs of his conduct; yet in the debate on the preſident's ſpeech, certain republican members condeſcended to ſay more than was neceſſary concerning the injuries and the patience of this envoy. Their admiſſion was ardently ſupported by the Britiſh faction. In ſome counties of Virginia, this point of accuſation was ſeized with eagerneſs by the friends of royalty. "You ſee," they ſaid, "with what reſentment even the republicans mention the French "treatment of Pinckney." This did the greateſt injury imaginable to the republican cauſe. One member confeſſed, in private, that he aſſumed this tone of lamentation for the ſake of ſecuring, if poſſible, the attachment of Rutledge. His contemptible fineſſe had exactly the ſucceſs which it deſerved.

THE next and laſt ariſtocrat from South-Carolina is Mr. Harper. He was elected as a republican. He came to congreſs with a letter of introduction to Mr. Madiſon. With the diſcretion that ſo generally marks his character, Mr. Harper wondered that the Republicans had never impeached Mr. Waſhington. It is impoſſible to conceive a more conſummate ſpecimen of apoſtacy than in the conduct of this gentleman. He affirmed that Mr. Waſhington was more dangerous to America than Julius Cæſar had ever been to Rome. This has been

proved by Judge Burke. Yet, with the moſt invincible audacity, Mr. Harper inveighs againſt every man who maintains thoſe opinions upon the ground of which he was himſelf elected. The congreſſional hiſtory of this attorney, if traced with minuteneſs, would fill a volume. His miſtakes, his inconſiſtencies, and his fictions are without number. He was a leading member of the majority of the fifth congreſs; and to thoſe who are acquainted with Mr. Harper, this circumſtance will convey a proper conception of the reſpect that is due to their proceedings. He has not the confidence of his party; and he ſometimes complains for want of it. But there exiſts no ground upon which he can expect to be truſted. Harper maintains a cloſe intimacy with Mr. Liſton. The ambaſſador muſt be ſenſible to the lightneſs of his purſe, and the peculiarities of his merit; to the honour which he might have won, and the diſgrace which he has acquired.

In the Aurora, Mr. Harper has been upbraided with the *complexion* of his amours. The world has no buſineſs with that part of a public character, unleſs when, as in the caſe of Hamilton, it ſhall be connected with ſome intereſting political truth. Rubbiſh of this nature was repeatedly ſent to Bache concerning John Allen. He would not inſert it. Accuſations the moſt unjuſt have been affirmed reſpecting the dapper Demoſthenes of Ninety-ſix. His grandfather was a mulatto. He is intolerable in converſation. His private character is marked with fraud. The two firſt poſitions are untrue; and the third requires much better evidence than what has yet been reported.

For a donation of three thouſand dollars from congreſs, a deſerving, and diſtreſſed family, was indebted to the benevolence of Mr. Harper. He deſcribed the claims of John de Neufville on the juſtice and gratitude of this country. With eloquence, truth and tenderneſs, he painted the projection from opulence and diſtinction, to exile and beggary, the horrors of an impriſonment that iſſued in lunacy, and the accumulated ſorrows of the mother of ſuch a perſon, of a foreigner and of a woman, aged, ruined and ſtarving. Mr. Harper then aſked his audience whether they were prepared to encounter the reproach of rejecting an application ſo reaſonable, and ſo urgent; whether, amidſt the appropriation of millions, this trifle could be materially miſſed; and whether, in the whole maſs of their conſtituents, there exiſted a ſingle man who would thank them for ſuch queſtionable œconomy?

In all common caſes of ſympathy, Mr. Harper might as well have addreſſed the pillars under the gallery. The majorities of every ſucceeding congreſs have proved that they are impregnable to compaſſion. By marvellous good fortune, Mr. Harper was ſucceſsful with the repreſentatives; and the prodigy was completed by the ratification of the ſenate.

These remarks are chiefly taken from perſonal obſervation. I attended in the houſe of repreſentatives for the greater part of five ſeſſions. I brought away ſome thouſands of pages of their ineſtimable debates.

Before returning to the counter-addreſs, and the alien act, the reader may be diſpoſed for a glance at the ſenate. Mr. Langdon is one of the beſt men that New-England ever ſent to congreſs. During the revolution he was of eminent ſervice. He ſat in the convention which framed the new conſtitution. He holds the ariſtocrats in abhorrence.

Mr. Foſter is one of the weakeſt, and Mr. Paine is one of the roughſt men in America. Mr. Tracy is the celebrated projector of a French war of *extinguiſhment*. He is for arming every man, woman and child in this country, againſt every man, woman and child in France. Mr. Tracy is not a fool, who might have ſaid theſe words in the violence of paſſion, without knowing what he did. Neither is he a madman, who would advance a ſingle inch towards the execution of ſuch a ſcheme. But he well knew that his audience contained perſons who would be glad to hear harangues like this. To pleaſe them, and above all, to pleaſe the ſupreme diſpenſer of loaves and fiſhes, Mr. Tracy ſacrificed his own underſtanding and conviction; and in the ardour of performance he overacted his part. This is the candid hiſtory of that ſpeech. Mr. Tracy was perhaps the leſs upon his guard becauſe nobody thinks it worth while to report the debates of the ſenate. By mere chance, Mr. Loyd, the ſtenographer, had come into the gallery. Hearing the tone of the debate, he took out a pencil, and carried off the whole prize. The ariſtocrats were exceedingly provoked at ſeeing this war-hoop in the newſpapers; but they did not chuſe to deny its accuracy. Mr. Hillhouſe told Mr. Loyd that he ought to be puniſhed for his preſumption. The republican prints were immediately filled with opprobrious criticiſms. Tracy did not venture to come frankly forward, either to juſtify or diſown his ſpeech. His ſilence at once teſtified the veracity of the reporter, and the confuſion of the ſenator. The fame of this production extended to Connecticut; and even in that fortreſs of ariſtocracy, it became adviſeable to give an explanation. Yet by his own account of the matter, Mr. Tracy did not make much improvement. A ſenator, who ſate near him while he ſpoke, has often ſaid that this was the moſt exact publication of a ſpeech which he ever knew; that the friends of Mr. Tracy objected only to one ſingle word in the report; and that this word was of ſmall importance. The long acquieſcence of the orator himſelf confirms that teſtimony. The ſpeech may fairly be conſulted as a faithful memoir of the feelings of the faction.

Messieurs Hillhouse and Sedgwick were two of the majority, who voted for Hamilton's plan of funding the domeſtic debt. It is underſtood that both of theſe patriots had made conſiderable purchaſes in the certificates of the old army. There hardly could be a more audacious or deteſtable tranſaction. Put the ſuppoſition, for inſtance, that a merchant's affairs have gone into diſorder. He employs an agent to aſcertain the balances that are due to his creditors, to make the beſt bargain with them which can be made, and, for the ſums remaining due, to write bonds, which the merchant promiſes to ſign. This confidential agent waits privately upon each of the creditors, aſſures them that the debtor is abſolutely bankrupt, and offers to purchaſe their claims at half a crown per pound. The creditors themſelves are ſtarving, and ſnap at the ready money. This agent then returns to his principal, deſcribes the merit and ſufferings of the creditors, and how ſhocking it would be to let them loſe their money. By his perſuaſion, the debtor grants a mortgage for the whole ſums to a third perſon, whom the agent, with a view to ſave appearances, has appointed to act on his own private account. Thus the agent betrays both his

principal, and the genuine creditors. His double treachery cuts on all ſides. He obliges his employer to pay eight times more for theſe debts than it was neceſſary to pay. He obliges the creditors to take eight times leſs than they could have got, if he had not interpoſed, and purchaſed their grounds of debt. All this is the very eſſence of impoſture; and this is confeſſedly the manner in which congreſs funded the greater part of the forty two millions of dollars of domeſtic debt.

But farther. The merchant holds an immenſe body of weſtern lands. Theſe are more than ſufficient for diſcharging his whole debts. Offers are made for the purchaſe of a conſiderable part of them, and the price that has been tendered, would immediately diſcharge one half of the total incumbrances of the merchant. But the agent does not wiſh for the extinction of theſe debts. He is anxious to remain in the management of his employer's buſineſs; and he thinks that the beſt way to ſecure his continuance in office, is to keep the merchant buried in debts, and loans, in mortgages, and executions. For this reaſon, he refuſes to ſell theſe lands. They lie for ten years, as a dead weight, upon the hands of his employer, who is, at the ſame time, forced to borrow money, at eight per cent, for the ſake of anſwering his daily neceſſities. It is evident, therefore, that he would have been much richer than he is, if in 1790, he had accepted even of one half of the price which could then have been got for theſe weſtern lands. This price he was prevented from accepting of by the artifices of the grand juggler, the author of all his misfortunes.

This illuſtration preſents a genuine picture of the riſe, and progreſs, of the American domeſtic debt, and of the characters of thoſe who voted for funding it in its preſent ſhape. Theſe are the authors of the alien and ſedition acts. Behold Sedgwick and Hillhouſe!

Their opponents in the ſenate were characters of a different ſtamp; for example, the late Mr. Henry Tazewell. Too honeſt to be purchaſed, and too firm to be bullied, too watchful to be ſurprized, and too ſhrewd to be deceived, this gentleman was long an effective antagoniſt to the ſtratagems of ſenatorial deceit, and the brutality of ſenatorial deſpotiſm.

Another and the ſame. With an happy temper, an invulnerable character, an independent fortune, and an amiable family, with every phyſical and moral circumſtance about him, which can provoke the envy, or challenge the eſteem of mankind, general Maſon has preſented an object of calumny for a ſet of miſcreants, whom his good ſenſe obliges him to deſpiſe, but whom his good nature will hardly ſuffer him to deteſt. Without parade, or effort, his patriotiſm flows, like a natural fountain, from the ſweetneſs and rectitude of the primitive elements of his mind. Had the majority of the ſenate voted and acted like general Maſon, this country, to borrow the language of Demoſthenes, might have eſcaped from *an Iliad of misfortunes*.

This impartial ſurvey of the individual characters of congreſs does not inſpire the moſt ſublime notions of their infallibility. That they are often in the wrong is leſs wonderful than that they are ſometimes in the right.

The four poſitions advanced by the minority, in favour of the alien act, have, in the laſt chapter, been ſucceſſively examined and refuted.

In the firſt place, the conſtitution gives no warrant to congreſs for *the paſſing of ſuch a law*.

SECOND. By the ninth section of the first article of the constitution, the general government is expressly prohibited from interposing to prevent immigration, and the powers assumed by this act would amount to the repeal of that clause. For it authorises the president to send aliens out of this country, at all times, and upon an hour's warning. Thus the act violates the constitution. Hence the members of congress who voted for it, have committed perjury.

THIRD. In opposition to every maxim of free government, the legislative, executive, and judiciary powers are concentrated in the president. He at once becomes the lawgiver, the judge, the jury, and the executioner. And worst of all, it must often happen, that besides this, he will be the witness and accuser. So monstrous a combination cannot, in justice, be suffered to exist.

FOURTH. This act deprives an alien of his right of trial by jury. It is very remarkable that, under this head, the counter-address does not venture *to quote the federal constitution.* This omission was prudent, for that instrument has no less than three different clauses, which, in express words, have secured that right to aliens. These are as follows:

ARTICLE 3d, section 2d, "The trial of all crimes, unless in cases "of impeachment, shall be by *jury.*"

AMENDMENT 7th, "No person shall be held to answer for a capital, "or otherwise infamous crime, unless on a presentment, or indict-"ment, by *a grand jury.*—Nor shall any person be deprived of life, "*liberty*, or property, without *due process of law.*"

AMENDMENT 8th, "In all criminal prosecutions, the accused shall "enjoy the right to a speedy and public trial, by *an impartial jury*, of "the state and district, wherein the crime shall have been committed; "which district shall have been previously ascertained by law; and to "be informed of the nature and cause of the accusation; to be con-"fronted with the witnesses against him; to have compulsory process "for obtaining witnesses in his favour; and to have the assistance of "counsel for his defence."

THE sixth amendment, also, although it does not refer especially to *the right of trial by jury*, discovers the anxiety of the framers of the constitution for the personal security of all classes of people:

"THE right of the people to be secure in their persons, houses, pa-"pers, and effects, against unreasonable searches and seizures, shall "not be violated: and no warrants shall issue, but upon probable cause, "supported by oath or affirmation; and particularly describing the "place to be searched, and the persons or things to be seized.

AN alien is unquestionably a person; for he is "a thinking intelli-"gent being," which is Mr. Locke's definition of the word *person*, He therefore comes, in the most perfect sense, within the letter, as well as within the spirit, of the constitution. This alien act is, therefore, an act of usurpation. It becomes the duty of the people to disobey it, and, if possible, *to punish those who made it.*

ONE object in the passing of the alien law was to reach the author of the present volume. Of this hopeful project notice was received in due time, and he became a citizen. The faction had entertained the design of opposing his admission; and certain members of the senate looked somewhat foolish on hearing that he had thus unexpectedly got

the ſtart of them. However contemptible, and baſe, this plan may appear, it was nothing better than what might have been expected from the majority of the ſenate. One argument uſed in that aſſembly for the paſſing of the bill was this that government wanted only to get rid of a ſmall number of perſons, and that hence, it was not worth while to give ſo much oppoſition. Among theſe devoted victims were general Collaud,* Dr. Reynolds, Hamilton Rowan, and the celebrated Volney. The crime of the firſt was that, he had ſerved in America during the revolution. Dr. Reynolds and Rowan were united Iriſhmen, and George Guelph would have been glad to get hold of them. As for citizen Volney, he had long been an object of the moſt violent ſcurrility, ſuſpicion and hatred. Private buſineſs obliged him to ſet ſail for France, juſt about the time when the bill paſſed. He had been regarded by the ariſtocrats as a ſpy; and yet he does not ſeem to have paid much attention to the politics of the country; for he told me, juſt before he went off, that he never could underſtand in what manner the ſoldiers of the revolution army had been cheated out of their certificates. This did not look like a perſon who had been a political ſpy. He took with him Sedgwick and Co. for the ſake of getting information. So trifling a circumſtance I venture to inſert only becauſe it ſtruck me as a proof that Volney did not come to the United States as a political emiſſary.

The minority are next engaged to defend the ſedition bill. It would be tireſome to enumerate even one tenth part of the abſurdities, and iniquities, which are involved in this law. If a repreſentative ſhall ſay in congreſs, that the preſident is a fool, the conſtitution ſecures his impunity. He has only to walk out of the door, and repeat his own words, and he becomes a criminal. The reporter of his ſpeech, alſo, he who prints it in a newſpaper, he who lends out that newſpaper, and he who reads it aloud to his own father, to his wife, or his ſon, come all expreſsly within the ſtatute. For a member of congreſs may cenſure the preſident, and he who repeats that cenſure is perhaps endeavoring to bring him into contempt. The ſimple act of *writing* a cenſure of government incurs the penalties, although the manuſcript ſhall only be found locked up in your own deſk. This was one of thoſe peculiar circumſtances which happened in the caſe of Algernoon Sidney, and which, in every nation except ours, hath excited the abhorrence of mankind. A paper, containing ſome free remarks on government, was found in his repoſitories. It had not been circulated, but its exiſtence was held as a full teſtimony of the author's guilt. Jeffries, and a proſtituted jury, condemned Sidney; and poſterity has condemned them. The friends of order have revived that golden age of juriſprudence, the reign of Charles the ſecond. We have only to wait for the ſtanding army of fifty thouſand men, for which the Virginian minority are ſo eagerly panting. The outlines of deſpotiſm are completely marked off. They need only the requiſite ſuperſtructure of prætorian hirelings. If I may hazard a ludicrous compariſon, they are

NOTE.

* *It was in preſence of this officer, at his lodgings in Philadelphia, that I had, from a member of the ſenate, the firſt notice of my danger. This circumſtance is mentioned merely to aſcertain the* real exiſtence of the plot.

juſt now in the condition of Curll the bookſeller's *taking title pages*, which wanted nothing but *good treatises to be wrote to them.** The ſedition act may, in itſelf, be conſidered chiefly as a title page; for, in every part of the world, military force would be requiſite for putting a law like this into complete execution.

Reputation is valuable to members of government. But it muſt be as much ſo to every other man. The converſation of a private company ſeldom continues for ten minutes together, without the occurrence of remarks which tend to bring ſome perſon "into contempt or "diſrepute." It is morally impoſſible to diſcuſs the merit of candidates at the next election for preſident, without the extinction of this execrable ſtatute. Say, for inſtance, that you prefer Jefferſon to Adams. This evidently tends to bring the latter into contempt and diſrepute; and for that offence, you are to be impriſoned for two years, and fined in two thouſand dollars. If, beſides being attached to Mr. Jefferſon, you have the additional misfortune of being poor and friendleſs, your impriſonment will continue for life, becauſe your fine will never be diſcharged. I do not know how to begin to reaſon reſpecting a law, which implicates ſuch ſuperlative atrocity.

A preſident has, in ſtrict juſtice, no more title to make a ſtatute for the peculiar protection of *his own* character, than for the peculiar puniſhment of ſtealing *his own* horſes. The one regulation would be juſt as reaſonable as the other. To be conſiſtent with itſelf the ſtatute muſt be enlarged to an univerſal defence of the characters of all claſſes of people; and unleſs this amendment of the law ſhall produce an epidemical palſy of the tongue, every man and woman in the United States will preſently be arreſted, indicted, tried, impriſoned, and fined.

The wiſeſt perſon upon earth has, upon an hundred occaſions, acted wrong, and has, in a thouſand inſtances, been charged with folly. This law leaves the offender to prove the truth of his accuſation, and this truth is to be proved, or rejected, at the pleaſure of a jury of men, who, in Virginia, and Pennſylvania, are choſen by government. In one word, they are choſen by the proſecuters. Human language has not reſources for the power of expreſſing the abſurdities of this ſtatute. Every ear has been deafened with a thouſand demonſtrations that the ſedition act ſtrikes at the heart of the conſtitution. But even this expoſure is almoſt frivolous. The law has, in effect, ſaid, "thou ſhalt "not ſpeak; thou ſhall not think." If the convention of 1787, had held ſuch a doctrine, this would have been a very good reaſon for laughing at them, and for turning them out of doors, but not for giving them the honour of a refutation.—John Marſhall, himſelf, comes within the ſtatute; for, in the late publication of his political creed, he ſays that the alien and ſedition acts are, both of them, *useless*. He alledges that, if he had ſat in the fifth congreſs, he would, on this account, have voted againſt them. Thus he endeavours to bring theſe laws *into contempt*. The ſedition act has provoked an army of hoſtile critics. They have gone, by whole battalions, much farther againſt it

NOTE.

* *See the works of Mr. Pope.*

than Lyon did, if indeed he really broke it. The legiſlature of Kentucky, the majority of the delegates of Virginia, and the entire maſs of petitioners and remonſtrants to congreſs for the repeal of theſe laws, come within this claſs of culprits.

In vindicating the ſedition act, the counter addreſs begins with a multitude of common place remarks upon the guilt of calumny, and the neceſſity for ſupporting government. Without plunging into a minute criticiſm, which might conſume ſeveral ſheets of paper, I ſhall briefly conſider each of theſe two points. In the outſet, it is to be remembered, that theories muſt be corrected, by a practical acquaintance with the peculiar ſituation of pending circumſtances. If no man in authority could ever be vicious, then cenſure would be ſynonimous with guilt. If no government could poſſibly be corrupted, the right of reprobation would be a criminal ſuperfluity. But we know that every man in power commits faults, that every ſyſtem of legiſlation has imperfections. We know that the wind does frequent and terrible miſchief. But we are likewiſe ſenſible that its agitations are neceſſary to preſerve our health, and that the havoc which is inflicted by the rage of the tempeſt, or the burſting of the thunder cloud, bears no proportion to the *ſuperior evil* of an utter extinction of animal exiſtence.—The Sun often ſcorches, and the torrent often overwhelms. Yet mankind have never deſired to annihilate the agency of fire and water. In like manner, the preſs produces numerous evils. But its advantages tranſcend them by the proportion of ten thouſand fold. A glare of offenſive light is preferred to impenetrable darkneſs. For the abuſes of the divine art of printing, the juriſprudence of America had provided moderate and reaſonable remedies. They ſometimes overſhot the mark, and they ſometimes fell ſhort of it. But taken all together, they hold out no ſort of reſemblance to the preſent fathomleſs deluge of perſonal malignity, and of congreſſional deſpotiſm.

I shall now begin with the complaint of the counter addreſs, as to the cruelty of attacks upon individual characters. If, in this age of wonders, any thing can ſurprize, it muſt be that the minority have advanced a complaint upon this head. All mankind are equally ſenſible that, under the patronage of government, a ſwarm of newſpapers have been long and excluſively devoted to the taſk of defamation.—Nay, they have lately turned the chace, and while they pretend to vilify Republican printers, two of the government editors have attacked Mr. Adams himſelf, with the utmoſt boldneſs, and what is yet worſe, with the blackeſt ingratitude, and the wildeſt injuſtice. In February laſt, the preſident nominated Mr. Vans Murray to negociate with France. Immediately, Mr. Adams was reviled, for two ſucceſſive days, in Liſton's gazette. On March 4th, 1799, Fenno, printer to the ſenate, entered the ſame career. The meaſures of government, the conſtitution, the whole body of the people, and the preſident, were aſſailed without mercy. Liſton's editor reprinted this performance, and hailed it as the maſter-piece of American genius. The party declared publickly, and with the utmoſt fury, that they would not vote for Mr. Adams, at the next election for preſident. Some of them went ſo far as to mention Rufus King to ſupply his place. In the end, Mr. Adams, with a view to appeaſe theſe friends of *order*, appointed two additional ambaſſadors.

II. With regard to the duty of supporting government, the minority speak, as if our political system were in constant danger of tumbling. But in reality, complaints are incessantly vented against every government in the world. This always has been, and it always will be the case. The king of England possesses at present, as much authority as any British sovereign has had for the last two hundred years. Yet whole volumes are constantly printed against him and his government.

On this subject the reader will not be displeased to see the opinion of General Mason, as delivered in his letter to Colonel Lyon. I give the whole piece entire, not only for the sake of the information which it contains, but as an artless and amiable picture of the worthy man who wrote it.

"Rasberry Plain, November 17, 1798.

"My Dear Sir,

"Having been for several weeks from home, attending the courts, "your letter of the 14th, ultimo, did not reach me until this week, and "then only through the channel of the public prints, to wit the Aurora, "and the second number of the Scourge of Aristocracy, sent me by your "son. I had previously seen some indistinct accounts in the newspapers "of your arrest and trial, which, though given with that false colouring "for which the *court papers* are so remarkable, did not fail to excite a very strong sensation in this state. Even the most inveterate tories, and "devoted tools of power, though no doubt delighted at the persecution "you have suffered, were not bold enough to proclaim their joy, or "openly to advocate this daring outrage on liberty. People had been "told that the Sedition Bill was harmless, was only meant as a bug-bear, "and would not be enforced. But when they see it so speedily carried in"to execution, and its first victim one of the representatives of the peo"ple, every considerate man shudders at the danger with which liberty "is threatened, and considers you as a martyr in its cause. Your letter "(which is rapidly running through all the papers) will tend more to "open the eyes of our fellow-citizens than all the speeches of all the re"publican orators in the two last sessions of congress. Their warnings "against the arbitrary designs of domestic usurpation, covered by the "pretext of necessity, arising from foreign dangers, were considered as "idle forebodings never to be realized. But your case affords a fulfil"ment of those predictions, and brings men seriously to enquire *why, "and by what authority, is this thing done?* In the minds of Virgi"nians, particularly, it sinks deep; because we well remember that "when the constitution was proposed for our adoption, and the want "of a bill of rights complained of, we were told that personal liberty "never could be endangered under the constitution; that it was merely "a government of states, having only a power over general concerns; "that those barriers which were provided by the state constitutions to "protect civil and religious liberty, were unnecessary in that instru"ment, because it contained no delegation of power which could pos"sibly affect their rights. Nay that it would be dangerous to attempt "their security by a bill of rights, lest it might imply that any such "powers were contemplated to be given to the general government; "and, that should any thing in the enumeration be omitted which was

"neceſſary to be ſecured, it might be ſeized on by implication. This idea "we find afterwards to have been fully embraced by the eleventh a- "mendment, when it was found neceſſary to reconcile the conſtitution, "even to thoſe majorities who had adopted it, by incorporating pro- "viſions equivalent to a Bill of Rights, on the ſubject of religious freedom, "the trial by jury, the liberty of ſpeech, and of the preſs; rights "heretofore held ſacred in America, but which will ſoon paſs away and "be forgotten, like the dreams of the night, unleſs the people ſhall be "arouſed by ſuch flagrant violations of our ſocial compact as are now paſſ- "ing in review before them.

"Moſt men are too much engaged in their private avocations, "and but few have an opportunity, to compare the laws and proceedings "of government with the conſtitution. But the ignominious ſuffering of a "fellow citizen, and particularly of one in an elevated ſituation in ſo- "ciety, cannot fail to awaken the public attention; and whilſt, as a "friend, I ſincerely ſympathize with you under your heavy load of op- "preſſion, I feel a conſolation in the hope, that good to the community "may ariſe out of it; that the people may be brought to reflect be- "fore it is too late, and not ſuffer themſelves to be deluded by a falſe "and groundleſs clamour about French influence, and a French party in "this country, until the foundations of their liberty are ſapped, all the "barriers of the conſtitution broken down, and themſelves reduced to a "ſtate of vaſſallage.

"Several friends with whom I converſed agree, that the perſonal ſuf- "fering to which you are expoſed is much more than the proportion "which you ought to bear in the common cauſe of republicaniſm, and as "the *fine* is the only part of the ſentence which can be participated by "others, they have ſuggeſted that it ſhould be made up by a common "ſubſcription, *among the enemies to political perſecution.* With your aſſent "I have no doubt this can eaſily be done, and I will moſt cheerfully "undertake to promote it. Do write to me as early as you can: if any "time before the middle of next month, direct to this place, as I do not "expect to be in Philadelphia before Chriſtmas.

"I am, dear ſir, your's."

Of the ſedition law, Mr. John Taylor has hardly a more favourable conception than that of general Maſon. In his letter from "One of the "People to Timothy Pickering,"* he ſpeaks of it in the following terms: "except for the reſpect to which, by law, the government is "entitled, I would have obſerved that the Sophi of Perſia, and the empe- "ror of Turkey, allow preciſely the ſame liberty to their ſubjects. Per- "haps you may conſider the compariſon as a compliment, as Mr. Erſkine "contended it was, to liken a plain man to the Devil. I will, therefore, "purſue it. You allow to the people *a claim* not *a right* of examina- "tion.† But even the claim is to be uſed in the mode which government

NOTES.

* Vid. Virginia Argus, November 9th, 1798.

† The expreſſions printed in Italics are quotations from Mr. Pickering's letter to Mr. Johnſton of Prince Edward county, dated September 22d, 1798.

" ſhall direct: and not a word is to be ſaid, which may excite *diſcon-*
" *tents againſt the conſtituted authorities.* Can any criminal ever ſuffer
" juſtice, who ſettles the evidence which ſhall be exhibited againſt him,
" and allows himſelf to be tried only to be acquitted?

" If you admit that *conſtituted authorities* can violate public good,
" what will be the benefit of an examination, which will not excite diſ-
" contents?———

" In order to juſtify the arrogance of your ſtile to the people, you
" have vouched for the *integrity and genuine patriotiſm* of our conſtituted
" authorities. If mankind can get over that great maſs of confidence,
" which the double character of criminal and witneſs ought to inſpire, I
" may be permitted to examine its credibility.——A profeſſion of ſincerity
" in a negociation for the preſervation of peace is attended with the ut-
" moſt efforts of reproach to produce a war. Complaints, that France
" intermeddles with our affairs, are followed by the groſſeſt abuſe of her
" government, for tranſactions with which we have no concern. The old
" ditty of W. X. Y. Z. is repeated, although the government of France
" denies the charge. Is it of any importance to us whether it be true
" or falſe? Be pleaſed to exerciſe your ingenuity on the following theſis.
" Which government would act moſt immorally, that which corruptly
" obtained fifty thouſand pounds from an innocent nation, or that which,
" under colour of a corrupt attempt in public ſervants, involved two in-
" nocent nations in war?——The reiteration of the W. X. Y. Z tale, is
" to me a clear proof that your faculties are deranged, and that the nation
" have only to determine, whether they will ſend you alone into a mad
" houſe, or ſuffer themſelves to be deluded thither along with you.——Are
" men yet to learn, that ſedition, in all its modifications, is a generical in-
" definite term, invented by deſpotiſm, capable of being made to com-
" priſe any thing as a ſpecies, at the pleaſure of power; and that in all
" ages, it has dieted itſelf with blood, the more palatable, becauſe the
" more pure? A ſedition law is a net, the meſhes of which may be en-
" larged or diminiſhed at the will of government.——What a contempti-
" ble idea muſt you have formed of the people, in ſuppoſing that you can
" ſcold them out of their right?"

Some of the majority who voted for the ſedition act were undoubtedly ſenſible that it broke through the conſtitution. On July 4th, 1798, Alexander Martin made two ſpeeches againſt it in the ſenate. Immediately thereafter, he voted for the bill. When the houſe broke up, he was overtaken at the foot of the ſtairs by Mr. Henderſon of Tenneſſee, and by general Maſon. The latter ſpoke to him thus: " You made a good
" ſpeech for us, Martin, and proved, I think to any man's ſatisfaction,
" that the bill was unconſtitutional. How did you come to deſert us?"
" I ſtill think the bill unconſtitutional," anſwered Martin; " but theſe
" DAMNED PRINTERS have got to ſuch a height, abuſing every body,
" that they muſt be checked." This obſervation was made aloud, and in preſence of ſeveral perſons. One of them replied, in a diſtinct voice,
" this man has certainly forgot that he took an oath to ſupport the con-
" ſtitution." General Maſon alſo remarked to Martin, that " fourteen
" days after the bill had paſt, if any one ſhould ſay of it, what Martin had
" ſaid, he would be impriſoned for two years, and fined in two thouſand

" dollars." Martin perceived that he had gone too far; and for ſome days after, he did not know how to hold up his face in the ſenate.

SETTING aſide all other arguments againſt the ſedition act, it preſents a moſt audacious violation of the terms upon which the ſtate of Virginia condeſcended to become *a diſtrict* of the federal government. In the act of adopting that ſyſtem, there was an important reſervation, and Congreſs had no more title to break through it, than the Grand Turk has to legiſlate for the empire of China. Here follows the reſervation: " We, the delegates of the people of Virginia, duly elected in pur- " ſuance of a recommendation from the General Aſſembly, and now " met in convention, having fully and freely inveſtigated and diſcuſſed " the proceedings of the federal convention, and being prepared as " well as the moſt mature deliberation hath enabled us, to decide " thereon, DO, in the name and in behalf of the people of Virgi- " nia, declare and make known, that the powers granted under the " conſtitution, being derived from the people of the United States, " may be reſumed by them, whenſoever the ſame ſhall be perverted " to their injury or oppreſſion; and that every power not granted " thereby remains with them, and at their will. That therefore no " right, of any denomination can be cancelled, abridged, reſtrained, " or modified, by the Congreſs, by the Senate or Houſe of Repreſen- " tatives, acting in any capacity, by the preſident, or any department " or officer of the United States, except in thoſe inſtances in which " power is given by the conſtitution for thoſe purpoſes; and that among " other eſſential rights, the liberty of conſcience and of *the Preſs*, can- " not be *cancelled, abridged, reſtrained, or modified*, by any authority of " the United States."

AFTER this ſolemn declaration, it ſeems entirely uſeleſs to argue any farther upon the ſubject. It is not within the compaſs of human language to make a ſtronger or more explicit interdiction of ſuch a meaſure as the ſedition act than that here inſerted. This paſſage ought to be reprinted in every ſchool book in Virginia, that our children may get it by heart, that they may feel a ſuitable impreſſion of the clemency and probity of the Britiſh faction.

In conſequence of this act, I have been menaced with proſecution and impriſonment, by Daniel Call, that ſorry underſtrapper of federal uſurpation. On this head I ſhall ſay but little. The governor and executive council of Virginia have ſworn to ſupport its laws, and its privileges. Hence, they cannot ſuffer a trial of that nature to proceed without violating their oaths of office.

THE remarks on the counter addreſs have taken up a conſiderable part of this volume. The remainder muſt be deferred, untill the publication of the next.

CHAP. IX.

An explanation of the conſpiracy of the Ariſtocrats, for the poſtponement of a new cenſus, until after the next election for Preſident, in October, 1800.—Peculiar oppreſſion of the New England ſtates, in conſequence of this project.—Monſtrous increaſe of public expence within the laſt two years.—Profligate expenditure of public money.—Examination of ſome defects in the federal conſtitution.

THE third ſeſſion of the fifth congreſs commenced at Philadelphia, on Monday, December 3d, 1798. On this firſt day, nine ſenators took their ſeats. In the courſe of the week, nine others arrived, ſo that on Saturday, December 8th, they had formed a quorum. Of the repreſentatives, thirty ſeven attended on the 3d, and ſeventy five on the 8th of December. The ſlackneſs of arrivals at the beginning of each ſeſſion is, in ſome meaſure, produced, by the inſignificance of the amuſement with which it always commences. Men who value their time do not wiſh to miſpend it in wrangling about the contents of an anſwer to ſome trifling harangue from a preſident who is neither wiſer nor better than themſelves. In almoſt every ſeſſion, as well as that in queſtion, ſome thouſands of dollars are ſunk upon wages of members who have arrived, before a quorum of each houſe can be aſſembled. It would be proper, if the preſident were directed to deliver his ſpeech on the firſt day of the ſeſſion, whether quorums had been formed or not. He would be told to leave a copy of it with the clerk, for the peruſal of abſent members. In the mean time, it is oppreſſive to make the public pay wages for an aſſembly which, by its own negligence, is incapable of acting. Not one dollar of the daily ſtipend ſhould commence to any member of congreſs from the time of his arrival until quorums have been muſtered. We ſhould then hear no more of defective attendance in the outſet of a ſeſſion. The more diligent deſcription of our legiſlators would enforce, by a ſhort ſtatute, punctuality of appearance. It is probable that, ſince the new government began, at leaſt thirty thouſand dollars have been diſburſed for members, who were waiting at the hall of congreſs till an effective number of that body could be collected.

On December 8th, Mr. Adams delivered his addreſs to the two houſes, and its contents preſented a conſummate apology for the abſence of thoſe members who did not haſten from the country to hear it. The preſident began with a canting paragraph about the annual peſtilence. He ſtated the "*ultimate failure*" of all endeavours for an accommodation

with France.* It is happy for Mr. Adams himſelf, as well as for his country, that he aſſerted an untruth. His ſpeech was diſtinguiſhed by vague and virulent invective againſt the republic. The plain reaſon was this. Every government wiſhes to handle as much money as it can poſſibly raiſe; and the beſt pretence for raiſing money is by ſpreading an alarm of foreign war. In the preceding ſeſſion, the preſident had obtained permiſſion to borrow five millions of dollars. The panic of invaſion was, therefore, to be ſupported, until the loan could be completed. If Mr. Adams had dropt even a ſingle word reſpecting the piracies inceſſantly perpetrated by England, he might have claimed ſome credit for his complaints againſt France. The remainder of the addreſs hardly merits particular notice. On the 12th of December, the ſenate waited on the preſident with their anſwer. Beſides their uſual and contemptible echo, the ſenate made an alluſion to the voyage of Dr. Logan; and to the French as "neglecting and paſſing by the conſtitutional and authori-"zed agents of the government." Talleyrand did his utmoſt for detaining Gerry in France; and when that man abſolutely refuſed to ſtay longer, or to treat with him, the directory ſent home, by Dr. Logan, the duplicate of a freſh offer of pacification. As a French war was the object deſired by the Britiſh faction in America, Dr. Logan was loaded with reproaches for his ſolicitude to prevent it. After all, he did nothing but an office of common civility, and an office which it was his duty to perform. The world never witneſſed a more impudent farce than the clamour excited againſt Dr. Logan. The people have ſeen quite through this impoſture. They hold its abettors in that abhorrence to which the propagators of defamation, the pimps of political diſcord, have ſo juſt a title.

THE preſident, in his ſpeech, had not adverted to Dr. Logan; but the reference of the ſenate preſented a temptation too ſtrong to be reſiſted. In his reply, therefore, he took notice of "the officious interference, the te-"merity and impertinence of individuals;" and hinted that ſuch offences "ought to be inquired into, and *corrected*." Mr. Adams had ſpoke of "the "great extent and ſolidity of the public reſources, from the proſperous ſtate "of the finances." The ſenate forgot that important part of their echo; but it was reſounded by the repreſentatives, who did not preſent their anſwer to the ſpeech till the 14th. On the 27th, the repreſentatives paſt a bill for a new cenſus. This bill did them honor, and demands a particular explanation.

AN enumeration of the people of the United States has not been taken ſince the year 1791. During this interval, the proportions of population have altered prodigiouſly. Vermont has doubled, and Kentucky has probably quadrupled her number of inhabitants. Hence each of theſe ſtates ought to ſend an augmented number of repreſentatives, and to pay

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NOTE.

* He muſt, at this very time, have been in poſſeſſion of Talleyrand's correſpondence with Pichon. A copy of the firſt of theſe two letters was delivered to Mr. Murray by Pichon, upon the 22d of Fructidor, that is the 8th of September, 1798, being no leſs than NINETY-ONE days before the delivery of the preſident's ſpeech.

an augmented proportion of the direct tax. They do neither. This iſſues in the greateſt injuſtice and abſurdity. For inſtance, Connecticut is leſs populous than Kentucky; yet in the law of July 14th, 1798, for raiſing two millions of dollars, by a direct tax, that ſtate is rated at

	Dollars.
	129,767
Kentucky, at only	37,043
Balance againſt Connecticut,	92,124

Now, as Connecticut is the leſs populous of theſe two ſtates, it is evident that, for want of a new cenſus, ſhe has been overcharged in the ſum of thirty or forty thouſand dollars per annum. All the other New England ſtates are likewiſe conſiderable ſufferers. Rhode-Iſland, for example, is taxed at

	Dollars.
	37,502
Tenneſſee, with probably more than twice its population, pays but	18,806
Balance againſt Rhode-Iſland,	18,696

THUS Rhode-Iſland contributes about nineteen thouſand dollars more than Tenneſſee, when by the ſpirit of the conſtitution, ſhe ought to be rated at nine thouſand dollars leſs. In the ſame way, New-Hampſhire has a burden twice as heavy as that of Georgia, with probably not a larger number of inhabitants, and with ſix months per annum of ſnow. In the ſmaller maps of America, you can hardly diſcover the ſtate of De'aware; and yet this neck of land contributes only about three thouſand dollars leſs than Kentucky.

To render ſuch a ſyſtem of taxation deteſted, it requires only to be explained. Nothing can more completely prove the groſs ignorance of Rhode-Iſland and Connecticut than their tame acquieſence under ſuch a diſproportionate ſhare of the common burthen. When they ſhall once underſtand that they are ſqueezed out of a ſhilling or eighteen pence, in place of ſix pence, they will be more able than they are at this time, to eſtimate the true character of the preſent government. Maſſachuſetts hath equal reaſon to complain. That ſtate pays

	Dollars.
	260,435
New-York is beyond compariſon more populous and wealthy than Maſſachuſetts; and yet ſhe is taxed at only	181,680
Overplus againſt Maſſachuſetts,	78,755

THERE is no riſk in affirming, that, by a new cenſus, Maſſachuſetts would ſave forty thouſand dollars per annum, of the preſent direct aſſeſſment of two millions. New-Jerſey and Maryland would alſo receive conſiderable benefit from a ſecond enumeration of the citizens; though in a leſſer degree than the four ſtates of New-England. Here it ſeems fit to explain the cauſes of this diſtinction.

THE conſtitution ſays that " no capitation, or other direct tax, ſhall " be laid, unleſs in proportion to the cenſus, or enumeration." In other words, a ſpecific ſum is required by the direct tax for each thouſand of citizens which the cenſus aſſigns to a particular ſtate. Since 1791, the population of Connecticut is thought to have declined, rather than augmented. But if Jerſey and Maryland have, within the ſame period, increaſed their population by one fourth part, if every thouſand of their former inhabitants have riſen to twelve hundred and fifty, then the ſame tax is paid in Jerſey, by five people, which in Connecticut is paid by four. If one thouſand Kentuckians have, in the laſt eight years, been augmented to four thouſand, then the four thouſand have no more to bear in Kentucky than the one thouſand in Connecticut, and the twelve hundred and fifty in Jerſey. In Connecticut, the number of citizens is almoſt ſtationary, ſo that this ſtate bears the full weight. In Kentucky, the numbers have increaſed ſo rapidly, that, until there ſhall be a ſecond cenſus, the burden of one perſon is ſupported by four, or perhaps by five. In Jerſey and Maryland, the number of people increaſes, although want of room hinders them from augmenting with half the quickneſs of the Kentuckians. Yet even among them, the burden of four perſons is borne by perhaps five. When a ſecond cenſus ſhall divide the tax upon equitable principles, a large proportion of the ſums at preſent paid by the New England ſtates, by Jerſey and Maryland, muſt be transferred to the others. The proportions above ſpecified are not offered as exact, but they are not very materially diſtant from truth; and they produce an intereſting concluſion. The above tax is levied with iniquitous inequality. New-England bears a proportion much greater than what ſhe ought to bear. The North Weſtern Territory, with a very conſiderable population, *pays not one farthing*!

ALL this ſhews that the preſent mode of aſſeſſing the direct tax is arbitrary, unjuſt and ridiculous; in ſhort, that there is an abſolute and inſtant neceſſity for a new cenſus.

WHEN congreſs paſt the aſſeſſment act of July 14th, 1798, they ſhould have ſubjoined another for an immediate enumeration of the citizens; and the burden ſhould have been founded upon the concomitant cenſus. Happily, this ſubject is ſo very plain, that there cannot be a difference of opinion reſpecting it. Were a ſtore keeper to demand ſix pence from one cuſtomer, and half a crown from another, for two articles that were each worth only ſix pence, the world would conſider this man as a common cheat, as no better than a place-hunting judge, a libeller of foreign nations, or an intercepter of letters. This is exactly the ſwindling baſis upon which the preſent tax has been founded. It ſeems ungrateful in Mr. Adams to bear ſo hard upon his beloved New-England, upon the moſt loyal, and truly federal part of his dominions.

WITH this explanation, I return to the houſe of repreſentatives. Their bill for a ſecond cenſus paſt with uncommon diſpatch and unanimity. Twenty-ſix members only voted againſt it. The bill was then ſent up to the ſenate, where a ſingular amendment was propoſed. The repreſentatives had enacted that " the enumeration ſhall commence on the firſt " Monday in May next." The act of enumeration would probably have required the greater part of a year. In May, 1800, the returns could have been made to congreſs; and as the direct tax is impoſed only for one year

at a time, the legiſlature in continuing it could fix it upon the level of the new cenſus. This, as above explained, would be an immenſe relief to New-England, and as the members from that country govern the ſenate, there ſeemed the greateſt reaſon to expect that this body would adopt the date of *May next*.

This was what the ſenate would have done, if juſtice to the citizens at large had been the fundamental motive of their conduct. The proſpect of relieving New-England was extremely acceptable, but an object yet more important was to be held in view. The election of preſident takes place in the fall of 1800. If the cenſus ſhall be completed before that period, then its contents muſt regulate the number of electors for preſident, as well as the ſeveral proportions of the direct tax. It happens that in all thoſe ſtates where the greateſt augmentation of people has occurred, the citizens are almoſt univerſally in favour of Mr. Jefferſon. Such eſpecially are Georgia, Tenneſſee, and Kentucky, where Mr. Adams has no chance for a ſingle vote. In New-York, Pennſylvania, Virginia, and North-Carolina, likewiſe, it is well underſtood that the majority abhor the patron of an American baſtile, the father of the alien and ſedition acts. Even Vermont, in ſpite of its northerly ſituation, contains a formidable number of republicans. The reſult is that a new cenſus will give a majority of at leaſt twenty votes for Mr. Jefferſon, and in all probability, a much greater number.

On this account, the ſenate, by voting for an enumeration in *May next*, (1799,) would have enſured the diſmiſſion of Mr. Adams at the approaching election. To the greater part of that body, his deſcent from the federal throne holds out a terrible contingency. Since ever they had a conſtitutional exiſtence, the majority of that houſe have kept in public pay John Fenno, and from the time of his death, his admirable ſon. One of the principal ſtipulations with theſe men was, and is, that the Gazette of the United States ſhould publiſh every ſort of falſehood againſt Mr. Jefferſon, and againſt every one who ventures to defend him. The number of direct lies which, for the laſt ten years, have been hatched under the wings of this compact, muſt amount to ſome hundreds per annum. If the rank and file of theſe calumnies could be accurately muſtered, they would rival the numbers of a Roman legion. After ſuch conduct, the majority have no lucrative appointments to expect from Mr. Jefferſon. He will nominate no ſtockjobbing ambaſſadors, no ſix per cent. per month judges, no perjured inſpectors general of armies in the moon. His calumniators deſerve and expect his contempt and deteſtation.

For theſe forcible but diſhonourable reaſons, a majority of the ſenate rejected the term of May next. They ſubſtituted "the firſt Monday in "*April, one thouſand eight hundred.*" By this poſtponement they deſigned to defer the effect of the ſecond enumeration, until the next election for preſident ſhall be paſt. They had other motives. In almoſt every one of the United States, Virginia excepted, the elections for the ſeventh congreſs are to be held in the fall of the year 1800. By proper management in conducting the returns of the new cenſus, they can be kept back until theſe elections for congreſs ſhall have been completed. The winter ſeſſion of the year 1800 is to begin upon the firſt Monday of December. After the elections ſhall have been ſettled, the party in the

houſe of repreſentatives can bring forward the new edition of the direct tax bill, and, at the ſame time, the returns of the ſecond enumeration. They will then ground the tax on the laſt arrangement of proportions, while the ſeventh congreſs will have been choſen upon the former one.* By this ſcheme, Connecticut will be relieved from her preſent overcharge of perhaps forty thouſand dollars of the direct tax of two millions. She will continue, however, to ſend ſeven repreſentatives to congreſs. On the other hand, Tenneſſee, which receives an addition of probably fifty thouſand ſouls a year, will be aſſeſſed to ſix, ſeven, or eight times more than the preſent amount of that tax, while ſhe continues to have but one repreſentative. From eighteen thouſand eight hundred dollars, her quota will ſuddenly bounce upwards to an hundred and twenty, or an hundred and fifty thouſand dollars; while ſhe only ſends one repreſentative to congreſs, in place of ſix. The direct tax will be founded upon the *new* cenſus. The elections will, ſome two or three months before that time, have been commenced and cloſed upon the *old* one. All the other ſtates, which are at preſent under aſſeſſed, will then be charged to the full extent; but they will not enjoy the advantage of an augmented repreſentation. New-York will ſtill, in the ſeventh congreſs, continue to chuſe but ten members, in place of ſixteen, Vermont two, inſtead of five, Pennſylvania thirteen, in place of probably eighteen, and Virginia nineteen inſtead of twenty-four. Kentucky will ſend two repreſentatives in place of eight, and Georgia two others, when ſhe ought to chuſe four, five, or ſix. In ſhort, excepting the four† ſtationary ſtates of New-England, all parts of the union will, juſt as at preſent, be joſtled out of a conſiderable proportion of their due balance in the federal government. As for the North-Weſtern Territory, it is expected that this ſtate will ſoon be permitted to ſend one member to congreſs. She will, no doubt, be aſſeſſed according to the new enumeration.

THE cenſus bill was ſent back to the houſe of repreſentatives, with this amendment of "April, 1800," in place of *May next*. The alteration was rejected, by fifty-four votes againſt thirty-three. The ſenate, in appearance, loſt their amendment, but in fact, they carried their point; for as they refuſed to give up their alteration, the bill was loſt. Thus they gained the delay which they deſired, as another bill could not be brought forward until the ſeſſion of December, 1799. In the ſenate, the amendment was carried by ſeventeen votes againſt ſix. Of the eight ſenators of New-England, ſeven were preſent. Goodhue, Greene, Hill-

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NOTES.

* This idea was ſtarted in the ſenate, upon which Mr. Jacob Read, who had ſupported the poſtponement till April, 1800, ſaid, that it was impoſſible to ſuppoſe that any thing ſo unjuſt could ever be attempted. Some of his friends, however, did afterwards avow, that the conſequence would be as it has been explained in the text.

† New-Hampſhire is the only quarter of New-England that has not yet received its full complement of inhabitants. Its increaſe, however, can hardly be rapid. Some hundreds of families emigrate annually from this ſtate and Vermont into Canada, where the Britiſh give them lands for nothing.

houſe, Livermore, Sedgwick and Tracy, voted for April 1800. Mr. John Langdon of New-Hampſhire, voted for *May next*. This is the attention that New-England ſenators pay to the relief of their conſtituents, from an oppreſſive and iniquitous burden. By voting as Mr. Langdon did, his ſix brethren would have ſaved conſiderably more than one hundred thouſand dollars a year to the four New-England ſtates. This is a point which has already been aſcertained beyond all contradiction.

When the bill, with the amendment, had been returned to the houſe of repreſentatives, and had been taken up for a ſecond conſideration, five out of the ſeven Connecticut members were preſent. Theſe were Allen, Brace, Edmond, Goodrich and Griſwold. Like their countrymen above ſtairs, they voted for April, 1800. Of the fourteen Maſſachuſetts repreſentatives, eleven were preſent. Of theſe, three voted for *May next*, and eight others for April, 1800. The ſix members from New-Hampſhire and Rhode-Iſland voted for the latter date. In whole, twenty-nine New-England votes were given in the two houſes. Of theſe, only four members voted for their conſtituents, and twenty-five againſt them. Yet theſe people are enraptured with the excellence of their repreſentatives; and multitudes of them look down upon all other Americans as a race of ignorant and inferior beings. The preſent explanation tends directly to ſave immenſe ſums of money to the people of New-England; yet when this book reaches that country, the author will be reviled, as he frequently has been, in their deſpicable newſpapers. For attempting to do them an evident and eſſential ſervice, he will be arraigned as a jacobin and an anarchiſt; becauſe ſome of theſe people would rather continue to loſe their one hundred thouſand dollars, and upwards, per annum, than endure the mortification of diſcovering that they have acted like fools, and that they have been groſsly cheated. Philoſophers may determine whether this New-England appetite for ſlavery makes the neareſt approach to ſtupidity, or to madneſs. Such citizens are unſuitable, and even dangerous characters, in a government which affects to found itſelf upon republican principles. This abject turn of thinking is common but not univerſal in the eaſtern ſtates. Dr. Nathaniel Ames of Dedham affirms, that in his country, the republicans are by far the moſt reſpectable claſs of citizens. He is of opinion that the preſent meaſures of government muſt end in a civil war. This gentleman is brother to the celebrated orator. *Tanta eſt diſcordia fratrum*! Facts appear to juſtify his conjecture as to the republicans of New-England. At the laſt election for congreſs, the citizens of Boſton were on the point of placing general Heath in the room of Harriſon Otis. The treaſury member ſaved his diſtance by the help of Britiſh merchants, and the dependents of Mr. Adams.

Something yet remains to be ſaid as to the conſequences of the conduct of the ſenate in rejecting the cenſus bill. On July 9th, 1798, there paſt a law, "to provide for the valuation of lands and dwelling houſes, "and the enumeration of ſlaves." This was a kind of prelude to the act of aſſeſſment. The ſecretary of the treaſury is, by the latter ſtatute, required to iſſue his inſtructions for collecting the two millions of dollars, as ſoon as he ſhall have received returns upon the other act of valuation. The aſſeſſment of two millions becomes due and payable at *the*

end of three months after the ſupervifors of the revenue ſhall have received their inſtructions.

Now, the ſixth congreſs has opened. Government is in the greateſt want of money; and one of the firſt objects muſt be to renew that aſſeſſment. We are to preſume that the tax will be made payable within three months, or thereby, from the date of the law, which will probably be paſt in January, 1800, or about that time. This detail ſhews that the tranſaction of the ſecond annual aſſeſſment will be completely cloſed long before the enumeration of the ſecond cenſus can begin to have its effect in the diſtribution of the tax. Thus the citizens of New-England are inevitably condemned to pay their quota of the next two millions of dollars upon the baſis of the old cenſus. They are condemned to pay five hundred and three thouſand four hundred and nine dollars, and three quarters, that is to ſay, ſomething more than one fourth part of the whole aſſeſſment. At the ſame time, it is indiſputable that, even after making proper deductions for two fifths of the ſlaves, the New-Englanders do not conſtitute one fifth part of the people. They are taxed in five hundred thouſand dollars, and they ought to pay leſs than four hundred thouſand. This is the conſequence of their overcharged repreſentation in congreſs. Out of an hundred and ſix members, New-England ſends twenty-ſeven. Twenty-one is the utmoſt number to which her population can entitle that country; and every year adds largely to the preponderance againſt her. Thus in three of her ſtates, the number of citizens is almoſt poſitively ſtationary; whilſt on the contrary, ſince the laſt cenſus, it is certain that Tenneſſee and Kentucky alone have received a far greater augmentation of inhabitants than the whole collective population of the ſtate of Connecticut. Theſe facts prove that the preſent unnatural ſupremacy of New-England cannot be laſting; and that, by loſing it at this day, the inhabitants would retain an hundred thouſand dollars per annum of the federal aſſeſſment, a ſum which their barren ſoil and inhoſpitable climate ſeverely demand for domeſtic purpoſes.

But this is not the worſt part of the proſpect in contemplating the direct tax. That burden muſt very ſoon be raiſed to twice, or thrice, or four times its preſent magnitude, unleſs we ſhall again have recourſe to the deſperate expedient of loans at eight per cent. Even in the year 1800, and in ſpite of a ſecond aſſeſſment of two millions, the deficiency will be formidable. The amount of this chaſm has been aſcertained by Mr. Gallatin, in an appendix to his two printed ſpeeches to congreſs, of February 7th, and 11th, 1799. He firſt ſtates the additional ſum that will be wanted in 1800, at *two millions and ſix hundred thouſand dollars*. But in a ſubſequent note, he obſerves that ſome of the articles for 1799 exceed in expence what was before ſtated. He ſubjoins the additional charges. On ſumming up the whole amount, and adding them to the deficit of the following year, it appears that, for 1800, the deficiency will be *three millions, one hundred and ſixty two thouſand, ſix hundred and ſixty-four dollars*. If this new ſum ſhall be raiſed by an addition to the ſecond aſſeſſed tax, then New-England will have to diſburſe, in the year 1800, an overcharge of two hundred and fifty thouſand dollars. She pays already an overcharge of an hundred thouſand dollars, on the tax of *two* millions. In the ſame proportion, ſhe will pay two hundred and fifty thouſand dollars, if the aſſeſſment ſhall be raiſed from two to *five* millions.

This appendix to Mr. Gallatin's two ſpeeches contains ſome amazing items of expence. Among others, we have two hundred thouſand dollars for the "Mediterranean powers." In another page this item is farther augmented to "two hundred and fifty-one thouſand, nine hundred and eighty-ſeven dollars." By theſe *powers* are meant the States of Barbary, including, perhaps, the emperor of Morocco. The treaty with that prince was ratified by Meſſrs. Adams and Jefferſon, as American plenipotentiaries, in January, 1787. It makes no mention of tribute, or preſents. There is another treaty with Algiers, dated November 28th 1795. By that, the United States are bound to pay twelve thouſand Algerine ſequins per annum, in maritime ſtores. This tribute makes ſomething leſs than twenty-four thouſand dollars. What becomes of the remainder of *the two hundred and fifty-two thouſand?* The only other Mediterranean powers are Tunis and Tripoli. It cannot be ſuppoſed that theſe petty and peaceful ſtates receive the balance of two hundred and twenty-eight thouſand dollars. Unqueſtionably the greater part of the whole ſum is ſtolen, though it may be neither prudent, nor perhaps poſſible, to aſcertain the identical plunderer.

It is amuſing to remark the rapid growth of public expence. On May 30th, 1796, an act paſſed, appropriating twenty thouſand dollars *additional*, for the charges of intercourſe with foreign nations. This relates to the expence of ambaſſadors, &c. to France, England, and other Chriſtian courts. The law ſays, that forty thouſand dollars had, before that time, been annually aſſigned for this purpoſe. For the year 1799, Mr. Gallatin, in the firſt part of his appendix, eſtimates ſeventy three thouſand dollars. In the ſecond part, the item riſes to an hundred and nine thouſand, beſides thirty thouſand dollars more, for an embaſſy to Conſtantinople. Thus, within four years only, the diplomatic department has, from forty thouſand dollars, been ſcrewed up to an hundred and thirty-nine thouſand.

The preſent excurſion to the Ottoman Porte is a yet more impudent impoſture on the public than the ramble to Pruſſia. The principal objection to the latter journey was, that the prime coſt of our whole exports to Pruſſia would not defray the ſalary of our ambaſſador. But the matter was not regarded as worſe than mere pilfering. It was a bold puſh to provide, at the national expence, for a preſident's ſon. But the Turkiſh tour has a much worſe and more dangerous object. The utter loſs of thirty thouſand dollars is the moſt trifling harm of the tranſaction. Juſt before the nomination of an ambaſſador, notice was received in America that the Turkiſh and Ruſſian governments have declared war againſt France. Immediately after hearing this news, Mr. Adams appointed envoys to enter into treaties with each of theſe empires. This was a direct inſult on the republic. It forms a branch of the diabolical conſpiracy for plunging the United States into a French rupture.

As for an American trade with Turkey, ſuch an item has never appeared, under its own diſtinct name, in the annual reports from the treaſury. But farther, the French are maſters of Malta. Hence, it is ſtill more impracticable than it ever was, to trade to the Mediterranean, without their permiſſion. Yet our preſident is, at one and the ſame moment, courting a Turkiſh alliance, and provoking a French war. It would require a ſuperior command of language to paint, in its proper colours,

the infanity of fuch conduct. Mr. Adams is conficious that a much larger fum than thirty thoufand dollars would not be fufficient for accompliſhing an alliance with the Porte. Some time after the peace of 1783, the preſident and Mr. Jefferſon were joint ambaſſadors at Paris: they wanted to form a treaty with Algiers. As a prelude to that tranſaction, they conceived the deſign of a treaty with the Grand Seignor. They conſulted, on this ſubject, the count de Vergennes. He anſwered, that at Algiers, the only two principles of action were money and fear; and that the Algerines paid ſome little attention to the Grand Seignior, when it ſuited their intereſt, but not otherwiſe. He ſubjoined, that the expence would be very conſiderable. The chevalier de Yrujo ſays that, in his opinion, the charges of ſuch an affair could not be leſs than two millions of dollars, becauſe, from the Grand Vizier, downwards, a great number of public officers muſt receive preſents. The Turkiſh government is, in the higheſt degree, both haughty and rapacious. As Congreſs have got themſelves entangled in this buſineſs, it is very likely that the next demand will be for an hundred thouſand dollars. We ſhall, at the ſame time, be told that the treaty is *in train*; that national honour is facred, in ſhort, that as Congreſs ſuffered Mr. Adams to get into this affair, they are bound in juſtice to bring him out of it. This is the way of ſpending public money, which has been borrowed at eight per cent. There exiſts not a more credulous, a more bubbled nation than the people of America.

It has been ſaid above, that in 1800, the aſſeſſed taxes will probably come to five millions of dollars, becauſe the deficit of that year will exceed all the preſent revenues by more than three millions. But even that augmentation is nothing compared with the dreadful proſpect that yawns before us. In 1801, the deficiency of revenue will be not three millions only, but five millions four hundred and fifty thouſand dollars: and in 1802, it will be ſix millions ſeven hundred and fifty thouſand dollars. By the way upon which the preſent government has hitherto managed its expences, they were always ſure of *running far beyond the eſtimates*. A previous calculation of ſix millions muſt be expected to reſult in ſeven or eight millions. Hence it is probable that the *real* average deficit for the diſburſements of each of theſe two years of 1801, and 1802, will exceed ſeven millions. But in this increaſed amount of public expences, there is comprehended the diſcharge of a Dutch debt of two millions and three hundred thouſand dollars. This debt will be cleared by a part of theſe augmentations. This Dutch debt bears an intereſt of four per cent. But in future the loans of the federal government muſt be contracted at eight per cent. The amount will then ſtand thus:

	dollars.
Augmentation for the two years collectively -	14,000,000
Deduct Dutch debt - - - - -	2,300,000
Real augmentation of debt within theſe two years	11,700,000

In the midſt of ſuch a ſcene of profligacy and of uſury, the preſident has perſiſted, as long as he durſt, in making his utmoſt efforts for provoking a French war. It ſeems likely that we are to continue to trifle with the patience of the republic, until the reſt of her enemies ſhall be ſucceſſively extirpated; and then we muſt either accept of her own terms, or combat her undivided forces.* Gerry, in his final diſpatches, explains the danger of a conteſt with the republic. He obſerves that the preſent convulſions of Europe will probably continue for half a century. Thus America muſt prepare herſelf to begin a battle of fifty years. There is only one certain method, and that is a very cheap one, to ſhun this gulph of deſtruction. At the next election for preſident, be ſure to vote for the republican candidate; for although Mr. Adams were to make a treaty with France, yet ſuch is the groſſneſs of his prejudice, and ſo great is the violence of his paſſions, that, under his adminiſtration, America would be in conſtant danger of a ſecond quarrel.

From conſidering the rejection of the cenſus bill by the ſenate, we were led to ſome obſervations on the aſſeſſed tax, and its injurious operation with regard to the eaſtern ſtates. From the means of raiſing public money, there was a natural tranſition to the preſent method of ſpending it. The unexampled augmentation of taxes, and the prodigal waſte of reſources, under the management of Mr. Adams, recalls to mind the deſire for a ſecond election, and that is inſeparably connected with the idea of a new cenſus. On this ſubject ſomething lies in the power of the preſent aſſembly of Virginia. Perhaps it might be adviſeable for them to frame a memorial to Congreſs, demanding a ſecond and inſtant enumeration of the citizens. Their requiſition will be ſupported by the aſſemblies of Kentucky and Tenneſſee, and probably by ſeveral others. In Congreſs, they will be ſupported either by a majority, or by a very cloſe minority of repreſentatives. It muſt be expreſsly demanded, that the cenſus ſhall be completed, before *the electors for a new preſident ſhall be choſen*, and that *the proportion of electors ſhall be regulated by the ſecond enumeration*. Servile and arbitrary as the majority of the ſenate are, they will not dare to refuſe their aſſent to a demand ſo impreſſive, and ſo reaſonable. There never was a more miſerable inſtance of national happineſs caſt away that what would be exhibited by a ſecond election of Mr. Adams, and its probable conſequence, a war with the conquerors of Europe. But even let us hope what is hardly poſſible: grant, that having been choſen a ſecond time, he ſhall ſcold on for five years from this date, without producing an actual war. Still the increaſe of public expenditure has been ſo rapid and prodigious, that every man, place-hunters excepted, is intereſted in checking it. At the cloſe of Mr. Waſhington's preſidency, the public revenues and expences were, each of them in round numbers, about ſeven millions of dollars. For 1799, the revenue is computed, by Mr. Gal-

NOTE.

* At this moment (January 6th, 1800) the preſidential newſpapers have not remitted one atom of their invectives againſt France. This proves, beyond all quibbling, that even in the preſent advanced ſtage of the buſineſs, Mr. Adams does not wiſh for a peace.

n, at ten millions; and Mr. Wolcott eſtimates the expenditure at twelve millions ſeven hundred and fifty thouſand dollars. For 1800, the expenditure will be *fourteen millions four hundred and fifty thouſand dollars*; for 1801, *fourteen millions nine hundred and fifty thouſand dollars*; and for 1802, *fifteen millions three hundred and fifty thouſand dollars*. Beſides this exorbitant augmentation, America muſt, within the three years laſt named, pay off the Dutch debt of two millions and three hundred thouſand dollars. At the end of the year 1802, the government will be farther indebted than it was in 1798, *in ſeventeen millions five hundred thouſand dollars*,* as the price of the preſident's two ſpeeches, and of the other inflammatory meaſures. This ſum is over and above the twenty-three hundred thouſand dollars, which muſt be raiſed for the diſcharge of the Dutch debt. The annual intereſt of the ſeventeen millions and five hundred thouſand dollars at eight per cent. will be FOURTEEN HUNDRED THOUSAND DOLLARS A YEAR FOR EVER; a burthen, every farthing of which muſt be placed to the account of the conſpiracy of the ariſtocrats.

This is the proſpect which government itſelf gives of its own future expences; but there remains no doubt that the actual iſſue will far exceed this eſtimate. From the ſeven millions of 1796, we have, in 1799, bounded forwards to twelve millions ſeven hundred and fifty thouſand dollars. Even the ariſtocracy admit that, for 1802, the diſbarſements will be fifteen millions, three hundred and fifty thouſand dollars, beſides the laſt inſtalments of the Dutch debt. But they have only to proſecute their negociation at Conſtantinople; to ſend a ſecond Ambaſſador to China, a third to Japan, and a fourth to Abyſſinia. After what we have ſeen, let no man ſay that a Japaneſe embaſſy is incredible. Such miſſions, with ſix other ſeventy-fours, and a few additional dock-yards, would raiſe the expenditure to twenty millions; and that ſome baloons of this kind will be mounted nobody can doubt, unleſs, in 1800, the country ſhall diſmiſs Mr. Adams. We can judge of the future by looking at the paſt. The fourth preſidency will expire upon March 3d. 1805, and by perſevering till that time in the preſent Adamite ſyſtem, the charges of that year cannot be gueſſed at leſs than thirty millions of dollars. This is *the proſpect before us!* But if the preſident ſhall ſucceed in his efforts for a conteſt of half a century with the republic, even this calculation is but a feather in the ſcale of our burthens. When a chief magiſtrate is, both in his ſpeeches and his newſpapers, conſtantly reviling France, he can neither expect nor deſire to live long in peace with her. Take your choice, then, between Adams, war, and beggary, and Jefferſon, peace, and competency!

By way of comfort, we have been told of "the great extent and ſo-"lidity of the public reſources, from the *proſperous ſtate of the finances*.§" In the midſt of an eight per loan, irredeemable, alſo, for the ſpace of ten years, theſe words are the language of inſult. It is likewiſe affirmed that "ſince the decay of the feudal ſyſtem,——as no

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NOTE.

* Unleſs another direct tax intervenes.

§ Preſident's ſpeech, Dec. 8th, 1798.

" nation can raiſe within the year, by taxes, ſufficient ſums for its " defence, and military operations, in time of war, the ſums loaned, " and debts contracted, have *neceſſarily* become the ſubjects of what have " been called the funding ſyſtems."* The deſign of theſe obſervations was to exhibit loans as a matter of univerſal neceſſity ; and here, according to his invariable practice, Mr. Adams has miſtaken and miſrepreſented every thing. In the vigour of the feudal ſyſtem, every king in Europe borrowed money whenever he could get it, for prodigality and bankruptcy form a part of the firſt elements of monarchy.§ It is *not* from political neceſſity that modern nations are buried in debt; but from the diſhoneſt characters of thoſe who govern them. The cuſtom of funding has been engrafted on the general increaſe of wealth ; and this cuſtom affords a facility of contracting national debts greater than what was ever heard of before. One of the reaſons why modern governments are ſo fond of borrowing money is becauſe this practice affords a larger field than uſual for *ſtealing with impunity*. The preſent national debt of England requires about twenty millions ſterling per annum of intereſt. Under tolerable management that ſum would be ſufficient for ſupporting the charges of a bloody war. Thus England holds out a caſe in point againſt Mr. Adams ; becauſe, if it had not been for the prodigality of her former adminiſtrations, and their mad projects of funding, that country could moſt certainly have gone through the preſent war without contracting a ſhilling of national debt. Still it is true that modern wars would be much leſs ruinous than they hitherto have been, if the whole ſums were to be raiſed annually by taxes. The promptneſs of the payment would force people to think, In the war of ſeven years, the great king of Pruſſia borrowed no money. This proves, beyond all doubt, that by economy and good ſenſe, the moſt dreadful conteſt may be ſupported, and the moſt deſperate exertions be called forth, without ruſhing into debt.

Mr. Hume, Dr. Adam Smith, and other eminent political writers, have demonſtrated, that a government which ſupports itſelf by conſtantly contracting new debts, is on the ſtraight road to deſtruction. On this head the famous Mirabeau has made ſome excellent remarks. They are addreſſed to the citizens of America ; and they well deſerve to be quoted, as an antidote to the ſophiſtry now in faſhion. They are as follows :

" The moſt fatal deception," ſays this writer, " of what in Eu- " rope are called *politicks*, has been to ſuppoſe *credit* uſeful, and to throw " a part of the duties of the preſent upon future generations. This " horrible ſyſtem originates in a want of patriotiſm : and paves the way " for a revolution which, whether diſtant or near at hand, is certainly " inevitable, and will ſtrike the world with terror." [The work here cited was wrote long before the French revolution, which, with mathematical preciſion, has proved the truth of this prophecy.] " The bur- " then is continually increaſing ; the exigencies of every year are " aggravated with the weight of all which have gone before. Every

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NOTES.

* Preſident's ſpeech, Nov. 22d. 1797.

§ See, as one ſample, Sinclair's hiſtory of the Britiſh Revenues, for an account of the royal and *feudal* mendicants of England.

" loan creates a neceſſity for future loans; ſo that the only end of this " boaſted policy is to render the public ſervice impoſſible, or, in other " words, to diſſolve the ſociety; an evil which can be no otherwiſe " avoided, than by a violation of faith, and the general deſtruction of " property."*

It has proved extremely unfortunate that the conſtitution granted to congreſs, an unlimited permiſſion of contracting debts. That inſtrument has numerous and evident imperfections. Three of them ſhall be explained in this place, becauſe they are connected with the propoſed cenſus, and ought to be fully underſtood. The conſtitution ſays that " the actual enumeration ſhall be made *within three years* " after the firſt meeting of the congreſs of the United States; and " within every ſubſequent term of *ten years*, in ſuch manner as they " ſhall by law direct. The number of repreſentatives ſhall not ex- " ceed one for every thirty thouſand." The miſtakes are as follows.

I. A cenſus ſhould have been taken before the new congreſs had begun buſineſs. In the firſt and ſecond congreſs irreparable miſchief was committed. The third was founded on the new cenſus; and being more numerous, more ſpirited, and much better informed than its diminutive and deteſtable predeceſſors, the career of Hamilton received an immediate check. The delay of the enumeration was, therefore, a very great misfortune to America.

II. *Within every ſubſequent term of ten years* was an ambiguous phraſe, and leaves too much in the power of congreſs. In a country like this, where the proportions of population fluctuate with ſuch rapidity, four years was the longeſt delay that ſhould have been permitted. If this term had been fixed, the Britiſh treaty would never have been accepted; and all its ruinous conſequences muſt have been avoided.

III. " The number of repreſentatives ſhall not exceed one for eve- " ry *thirty thouſand.*" By this proviſion, congreſs may reduce them to one for an hundred thouſand, and allow no more than fifty repreſentatives, for the next cenſus. This was a very careleſs method of treating ſuch an important point. There is another miſtake in apportioning the repreſentatives. When a ſtate contains ſixty thouſand people, it ſends only one repreſentative, whereas by the preſent law, its neighbour with ſixty ſix thouſand will ſend two. This is the height of abſurdity. It would be proper and juſt that ſuch odd numbers ſhould be joined to an adjacent diſtrict of ſome other ſtate. This is one of the reaſons, why the people of America have at preſent ſuch an imperfect and unequal repreſentation in congreſs; and that inequality has been the principal ſource of thoſe misfortunes that menace the country.

Thus, reaſons of all ſorts demand an immediate enumeration of the people; and care muſt be taken by the republicans, that the electors of the next preſident ſhall be choſen upon that baſis. The greateſt oppoſition to this plan muſt be expected in the ſenate of congreſs. As a ſpecimen of the method of doing buſineſs in that body, obſerve the following anecdote. In the ſecond ſeſſion of the fifth congreſs, Mr.

NOTE.

* *Reflections on the obſervations of Dr. Price on the American Revolution, printed at Philadelphia, in* 1786.

Bloodworth and general Maſon chanced to quit the room, juſt before a queſtion was called. They returned immediately; the name of Mr. Bloodworth had been called, and they were not permitted to vote, for it is the rule of the houſe that the votes ſhall be received only from thoſe members, who are preſent, when the queſtion is actually put. Some time afterwards, Mr. Foſter of Rhode-Iſland happened to be abſent when his name was called. He came in juſt afterwards, and wanted the vote to be taken over again. The recent caſe of the other two ſenators was adduced. This did not hinder the majority from granting his requeſt, as he particularly inſiſted on his being *perfectly well acquainted with the queſtion*. When the clerk repeated his name, behold! he voted againſt his own party. "I always told you," ſaid Mr. Langdon, "that he did not underſtand the queſtion." The yeas and nays were, however, called a third time, and Mr. Foſter finally voted like *a truly federal ſenator*. In the ſpeech of Mr. Harper in the late attempt to try Mr. Blount, Harper ſays that he conſiders "this honorable body as the ſheet anchor of our veſſel of ſtate."* This ſheet anchor wanted to make the ſedition act a *perpetual* one. When the alien act was under diſcuſſion before the ſenate, Mr. Jacob Read of South-Carolina confeſſed in debate, that he conſidered the act as prohibited by the conſtitution, but obſerved that he was ready to go ſtill farther, and vote for comprehending under it the citizens of the United States. It is farther ſaid that he declared his readineſs for including the *members of that houſe!* He declared, that he would vote for this act in *the teeth of the conſtitution!* Theſe laſt were his identical words, as I have got them from one of his brethren. Hence it is a mere waſte of time to aſcertain that the alien act is unconſtitutional. The fact is too evident to require demonſtration. This is the logic of a majority of the ſenate, and ſo great is their reſpect for the conſtitution! Behold the ſheet anchor that Mr. Harper ſpeaks about!

It is expected that, in a ſhort time, the north weſtern territory, and the province of Maine will, each of them, be permitted to ſend two ſenators to congreſs. Virginia will then have two votes in the Senate out of thirty ſix. With a million of inhabitants, ſhe will ſend two ſenators, and perhaps twenty four repreſentatives. Delaware, with ſixty thouſand inhabitants, has two ſenators, and one repreſentative. This jarring medley forms a ſtrange ſample of repreſentative government. Two houſes are held neceſſary for the ſake of deliberation. Perhaps it will, at ſome time, be found adviſeable to lay aſide the ſenate, and inſtead of it to divide the repreſentatives into two branches. To paſs a law, let it be requiſite that the collective number of yeas in the two houſes ſhall exceed the total amount of the nays. This rule would preſerve an abſolute equality of influence among the members, who might be choſen for each houſe by ballot. This ſyſtem would be free from numerous objections which occur againſt the preſent conſtitution of the Senate.

NOTE.

* *See, Printed account, page 97.*

CHAPTER X.

Remarks on Mr. Blount's Trial—Interesting Message from Governor Mifflin to Mr. Adams—Extraordinary History of the Ship Oracabissa, and the Ship Alphabet—Abyss of American Degradation—The Sale of the Fair Play Schooner Boat.

ONE of the firſt queſtions that came before the laſt ſeſſion of the ſenate of congreſs was the impeachment of Mr. William Blount. On January 11th, 1799, it was finally declared that the ſenate had not power to impeach him. This point was determined by fourteen votes againſt eleven; and the deciſion was favourable to the rights of the people. The plea of the Defendant was that no man can be impeached but *a civil officer*, that a member of either houſe of congreſs is *not* ſuch a perſon, and even if he were ſo, that Mr. Blount, having been expelled from the ſenate, was no longer any thing more than a private individual. It was generally believed that the friends of order did not deſire to bring this caſe of Mr. Blount to a clear explanation, as it muſt have involved an eminent perſonage of the Britiſh party. Had the defendant been found liable as a ſenator, it is ſuppoſed that he would have been acquitted on the ground of his recent expulſion. But if once the right of impeaching members of congreſs had been eſtabliſhed, it might have been made a terrible engine of party. A bare majority of the houſe of repreſentatives had only to have impeached Livingſton, Gallatin, or ſome other diſtinguiſhed member. He was then to be hauled before the ſenate, where he was morally certain of being caſt. Nay the ſenate would very ſoon have begun to impeach members of their own body. The eſcape was narrow; and it is worth while to record the names of thoſe deſpots who voted for this dreadful prerogative. Theſe were Chipman, Davenport, Goodhue, Latimer, Livermore, Lloyd, Paine, Roſs, Sedgwick, Stockton, and Tracy.

ON January 31ſt, 1799, there paſt *an act for the puniſhment of certain crimes therein ſpecified.* The motives for introducing this act were truly deteſtable. The deſign was to caſt an odium upon Dr. Logan, on account of his voyage to France. In this affair he proceeded with the pureſt intentions, and with a degree of ſucceſs which gave the utmoſt mortification to the war party. He ſailed from Philadelphia, in the Hamburg packet, about the beginning of June, 1798. From Hamburg he went to Paris. He was introduced by the Batavian ambaſſador, to Merlin, a member of the directory. His reception was cordial. He was invited to dine with Merlin. At dinner, he was going to give *a ſpeedy reconcilement between France and America.* The landlord requeſted him to drop that toaſt, as he had deſigned to give it for his own. Merlin added that this reconcilement was the wiſh neareſt to his heart. The whole object of his voyage was to promote the peace and welfare of both nations. A more benevolent purpoſe never glowed in an honeſt boſom. Dr. Logan ſays that, while in Europe, he viſited ſix different countries, England, Holland, Pruſſia, Germany, Denmark, and France; and that the French are by far the moſt [illegible]ing and contented people whom he has ſeen. As to religion, the

churches are open and frequented upon Sundays, though not quite so much as before the revolution. Every citizen pays what clergyman he thinks proper. All this is exactly, as it ought to be. Dr. Logan thinks that internal improvements are advancing faster in the republic than in any part of the United States. The burden of the war is heavy, but the nation supports it with chearfulneſs. There is an univerſal determination not to think of peace until the fall of the Britiſh monarchy, becauſe there exiſts a firm belief that no compact with that government could be laſting. As the expence of the war coſts England thirty or forty millions ſterling per annum, and as France is vaſtly ſuperior in reſources, this overthrow cannot be at a great diſtance. Think then of the ſituation in which America muſt ſoon find herſelf, in caſe that ſhe ſhould be left to contend ſingly with the French Republic! Even her peace eſtabliſhment will, in 1802, have been raiſed from ſeven millions to ſixteen millions and an half. A war on the back of this burden will ſuperadd forty, ſixty, or an hundred millions a year.

Much clamour has been raiſed with regard to French influence in congreſs. The following narrative evinces the exiſtence of Britiſh influence in that aſſembly. On June 27th, 1798, governor Mifflin of Pennſylvania ſent a letter to the preſident. He therein ſtated the recent evacuation of Port-au-Prince by the Britiſh forces. He obſerved that they had embarked a very great number of French white men and negroes on board of tranſports, and had ſent them to America. Two of theſe ſhips had arrived at the port of Philadelphia. The remainder were daily expected in ſome of our harbours. The governor ſaid that he had determined to prohibit the landing of the negroes. He wiſhed to refer to the preſident the queſtion whether theſe people ſhould be permitted to land. His reaſon for this reference was that, on account of the limited juriſdiction of Pennſylvania, the negroes might be diſembarked in an adjacent ſtate, and that it might be neceſſary to *extend this prohibition to white men.*

The conſtitution expreſsly prohibits congreſs from interfering on that head, previous to the year 1808. The conſtitution makes no diſtinction, whether the paſſengers ſhall be white or black. The clauſe has been quoted above a thouſand times, in the courſe of diſcuſſing the alien bill. Mr. Adams immediately tranſmitted to congreſs a copy of this letter, along with a written meſſage. "As my opinion," ſays he, "entirely coincides with that of his excellency the governor, I recommend the ſubject to the conſideration of both houſes of congreſs, "whoſe authority *alone* appears to me adequate to the occaſion."

At this rate, it would be much better at once to burn the conſtitution, and thus avoid the ridicule of referring to its authority. General Maſon, and ſome other members, inſtantly attacked the meſſage, which was, by the majority, referred to a committee. On the 28th of June, this committee reported a bill authoriſing the preſident "to "prevent and regulate the landing of French paſſengers, and other "perſons, who may arrive within the ports of the United States, "from foreign places." The bill was read a firſt time. It was then moved that it ſhould be read a ſecond time, on the ſame day. The minority objected, and quoted a ſtanding rule of the ſenate, which is, that no bill can be read twice, on the ſame day, without the unani-

mous consent of the whole house. The propriety of this rule must be impressed on the mind of every man, who has been acquainted with the common progress of business in a legislative assembly. The majority were so impatient to trample upon the constitution, that they proposed to repeal this rule. The minority agreed not to insist upon the rule, which they considered as the lesser evil; and thus the Journal of the senate* says that "it was agreed by unanimous consent to dispense "with it." This shews that, in the senate, the majority are perfectly despotic. The bill was, accordingly, read a second time. On the 29th, it was brought up for a third reading. The majority had constantly said that this bill did not contradict the constitution. General Mason met them upon their own ground, and to shew the absurdity of the whole procedure, the utter want of principle and decency that marked every part of it, he proposed the following singular amendment:

"Provided, that nothing in this act, shall be construed to prohibit "the migration or importation of such persons as any state may think "proper, by law, to admit, nor *(to extend)* to such persons whose ad-"mission may be prohibited by the respective states." These words are copied from the constitution. They go exactly to the annihilation of the whole effects of the bill. The amendment was rejected by seventeen votes against three. The minority consisted of Mr. Tazewell, Mr. Anderson of Tennessee, and General Mason. Another amendment was then proposed by the General. The bill had a canting preamble, which he wanted to expunge, and which ran thus: "The pe-"culiar circumstances of the United States, in relation to the Republic "of France, and the citizens thereof, require, that whilst the United "States have afforded hospitality and protection to Frenchmen who "have sought an asylum in this country," [Witness the alien bill, which was then on the table before them!] "they should, on the other "hand, guard against the arrival and admission of such evil disposed "persons, as, by their machinations, may endanger the internal safety "and tranquility of the country."

General Mason proposed to strike out these words, and insert a candid statement of the fact, in these terms: "it is represented that, "on the evacuation of Port au Prince by the British troops, a number "of French white-men and negroes, were put on board of vessels bound "to the United States, some of which have arrived, and others may "shortly be expected, and it is deemed dangerous to admit indiscrimi-"nately such persons into the United States."

The motion was divided, and it was agreed that the preamble should be struck out. But the amendment was rejected. On the 30th, the bill past, and was sent down to the representatives. On July 2d, the aristocratical majority of the latter *postponed the bill until next session!* This delay instantly discharged these people upon the devoted state of Pennsylvania. So great was the attention of its *republican* governor to the health and peace of its citizens! This reversal by the representatives seems inconsistent with the previous and extreme haste of their

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* *Page* 400.

allies in the ſenate. The fact was ſhortly this. The paſſengers from Port au Prince were, at firſt, underſtood by governor Mifflin, and by the ſenate of Congreſs, to be *French Democrats*. This cauſed the impatience of the ſenate to prohibit them from landing. On Saturday, June 30th, Mr. Liſton, when he came to the houſe of repreſentatives, informed ſome of the members in his confidence that the cargo conſiſted of *ariſtocrats*. This reverſed the whole buſineſs, The miſtake was corrected, and the paſſengers were ſuffered to come on ſhore. It is commonly believed that the peſtilence of 1793 was imported into Philadelphia by fugitives from Port-au-Prince. This afforded an excellent reaſon for excluding the fugitives of 1798; but that does not vindicate the transference of the jurisdiction of Pennſylvania to the general government. In his letter to Mr. Adams, governor Mifflin obſerves that, when prohibiting the diſembarkation of the French negroes, he had acted "with the *advice* of the attorney general, and "other ſtate officers." The advice which theſe gentlemen gave, was perfectly proper; but in pure juſtice to judge M'Kean, to Mr. Rawle, and Mr. Dallas, it is of the greateſt importance to obſerve that governor Mifflin does not ſay, nor ſo much as inſinuate, that the attorney general, or any other lawyer, had adviſed him *to ſubmit this matter to the preſident*. Had the advice of his counſellors gone thus far, it is reaſonable to preſume that he would, a ſecond time, have cited their authority. But, as he has not done ſo, the reſponſibility for his reference reſts entirely with himſelf. Had the ſtatute really paſt, it would have been a ſtep entirely as exceptionable as the *act reſpecting alien enemies*.*

In juſtice to governor Mifflin, here is ſubjoined an exact copy of his words reſpecting the reference to Mr. Adams. "The limited ju-"risdiction of Pennſylvania, the facility with which our regulations "may be evaded, by diſembarking the negroes in any *adjacent ſtates*, "and perhaps the neceſſity of extending the prohibition to white-men, "*induce me* to ſubmit the ſubject to *your* conſideration; and to re-"queſt ſuch a co-operation of the federal (perhaps he ſhould have ſaid

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* *This is the title of that noted law which gravely declares that the most horrible oppreſſion ſhall be committed* "*according to the dictates* "*of humanity, and national hoſpitality.*" *What invincible aſſurance! It ſeems very harſh to* preſume *without ſpecial reaſons, that a Frenchman, or Engliſhman, reſiding in this country, ſhall be intereſted againſt it for the ſake of that which gave him birth. Suſpicion ſeems only reaſonable, when the foreigner chances to have an immediate and perſonal connection with the government of his own country, or when he is a merchant, whoſe buſineſs depends upon the ſupport of his credit with his correſpondents in that country. In America, this claſs is numerous; but in all common caſes, a man ſincerely prefers the welfare of that part of the world, wherein he reſides. Of late emigrants, Iriſhmen are by much the moſt numerous diviſion; and they are not ſuſpected of prejudice in favour of the Britiſh tyrant. Their principles are known to be purely republican. It is for this reaſon that Mr. Adams, and the tories of 1776, are ſo much afraid of theſe people.*

" *executive*) authority, as *your excellency* may deem expedient for the " general ſafety."

As for adjacent ſtates, the governor had no concern to intermeddle about them. They were entirely capable to look to themſelves. The paſſage clearly exculpates the officers of ſtate, and concentrates in the writer himſelf, the whole conſequences of this application. The ſheriff of a county in Virginia might as well have applied to Mr. Adams for leave to prohibit inoculation for the ſmall pox. The application is made to the preſident perſonally, and, as it ſeems, excluſively; for congreſs *are not mentioned.* This is worſe than the alien bill itſelf, which makes at leaſt a pretence of including congreſſional authority. Thus, the late republican governor of Pennſylvania gave a previous ſanction to the alien act. Theſe facts are inconteſtible. They ſtand at full length upon record. The reader who prefers perſons to principles, who cannot bear to ſee faults in his favorite hero, is welcome to ſhut this volume. The ſequel is that, when a political writer tells *both ſides* of truth, he is certain to meet, *as I have done*, with the blackeſt revenge from both parties. If he attempts to anſwer all the rubbiſh diſcharged againſt him, he can find leiſure to write nothing elſe. The hardſhip of being attacked on every quarter is compenſated by his conſciouſneſs of diligence in ſearching for information, and of candour in digeſting it.

On February 8th, 1798, Mr. Adams ſent a meſſage to congreſs. He mentioned the receipt of a letter from the governor of South-Carolina, dated October 22d, 1797. The letter reſpected the capture and burning of the Oracabiſſa, an Engliſh merchant ſhip with her cargo. This outrage was committed in the harbour of Charleſton, on the 17th of October preceding, by the Fortitude, a French privateer. The letter from the preſident is couched in the ſame inflammatory and ſwaggering ſtile that diſtinguiſhes the reſt of his productions. " I have " tranſmitted thoſe papers," ſays he " to congreſs—to ſhew the pro- " priety and neceſſity of enabling the *executive* authority of govern- " ment to take meaſures for protecting the citizens of the United " States, and ſuch foreigners," &c.

It is hard to gueſs what more authority Mr. Adams wanted. He had the abſolute command of the forces both by ſea and land, with the diſpoſal of all offices, both civil and military, under the federal government. He was then, as he is now, to all intents and purpoſes, the king of America. For experience has fully proved, what Patrick Henry, governor Monroe, and many other men of penetration ſaw from the beginning, viz. that the United States had only rejected one monarchy, that they might ſet up another. If this violence had been acted by an Engliſh privateer upon an American merchantman, Mr. Adams would have ſuppreſſed the whole ſtory. This will appear from the following atteſted narrative, which has long ſince been tranſmitted to Mr. Adams.

On October 5th, 1797, the American ſhip Alphabet ſailed from Liſbon. Her cargo conſiſted of ſalt. She was the property of Roe and Simmons, merchants in Philadelphia; and ſhe was conſigned to Edward Roberts, merchant, in Norfolk. On November 22d, the Alphabet was in ten fathoms of water, and diſtant about ſeven leagues

from Cape Henry. She was there captured by the Prevoyante, a Britiſh Frigate, commanded by Captain Wyms. Her crew conſiſted of twenty men, beſides the captain, Benjamin Driggs. The whole number, excepting the captain, and the ſecond mate, were carried from on board of the Alphabet into the Prevoyante; and the ſhip herſelf was diſpatched off under the care of a prize maſter. The nineteen priſoners were confined on board of the frigate, for ten days, during nine of which ſhe lay at anchor in Hampton Road. Some of the crew were then releaſed. Among theſe were, Patrick Roche, late mate of the Alphabet, Thomas Hanſon, John Thornton, David Downey, Matthew Edde, Charles Hacket, Trules Hanſon, Charles Frederick, and Elias Davis. On December 6th, 1797, theſe nine men appeared before Mr. John Niviſon, notary public for the diſtrict of Norfolk, and made oath to the above particulars. They farther ſwore that ſix of the crew were ſtill detained on board of the Britiſh frigate. Of theſe, three men were blacks, and three others were citizens of the United States. Their names were William Collet, Peter Graham, and George Bumbelbecomb. Two of them had certificates of citizenſhip from Philadelphia. At the requeſt of the deponents, the notary, Mr. Niviſon, drew up a proteſt, of which the above is a correct abridgement.

The concluſion of this affair produced a ſecond proteſt. But, as that paper has not come to hand, the following account is here given from verbal information. Patrick Roche having told his adventures to ſome gentlemen at Norfolk, an officer of the federal army, who was then quartered in that place, went over to Hampton Roads in a boat, with a view to recover the remainder of the Alphabet's crew. Roche went along with him. When the officer came on board of the Prevoyante, and gave notice of what he wanted, the captain ſaid that he muſt have got his information from Roche, and immediately demanded whether that damned raſcal was in the boat? The officer was ſilent. The captain ſent ſome of his men into the boat. Roche was found, brought on board of the frigate, and put in irons. He was kept in that ſituation during the whole time that the frigate remained in Hampton roads. He was daily hauled upon deck, and aſked by Wyms, on board of what ſhip on the American ſtation he choſe to ſerve, as he ſhould certainly be ſent into the Britiſh navy? Roche refuſed to make a choice, and inſiſted for his freedom on the hopeleſs foundation of his being an American citizen. There was no interference by the wooden government of Virginia. When the Prevoyante left Hampton, Roche was diſcharged. It is added that of the ſix priſoners, the whitemen were ſet free, and the three blacks carried off. John Adams received official notice of this tranſaction long before he ſent to congreſs the diſpatch reſpecting the Britiſh ſhip, and he ſpoke not one word of it. He is requeſted to tell, if he can, his reaſons for making this diſtinction between a French and an Engliſh pirate.

If ſuch a tranſaction had occurred in a ſeaport of the Britiſh iſlands, had the mariners of an Engliſh ſhip been thus treated in the harbour of Liverpool, by a French or Spaniſh commodore, the whole iſland would have reſounded with indignation. The miniſter would have felt an abſolute neceſſity for demanding inſtant and complete ſatisfaction. Thus dignified and important is the rank of a Britiſh ſubject, when contraſted

with that of an American citizen. An Engliſh owner of ſuch a veſſel would inſtantly have publiſhed the particulars. An American frequently dares not, leſt the Hamilton bank may refuſe to diſcount his bills. Government alſo would perhaps wreck its vengeance in collecting his impoſt. The federal newſpapers would advertiſe him as a jacobin, and his Britiſh correſpondent would probably ſtop his importations. This is American *independance*! Mr. Swanwick *printed* the caſe of his ſhip *Two Friends*,* where the Britiſh robbed him of two thouſand dollars; and he was ſacrificed to a Britiſh and paper jobbing conſpiracy. For the laſt ſix years, federal hiſtory has chiefly conſiſted in a ſcale of external indignities gradually aſcending, until an inceſſant conſciouſneſs of deſerved ignominy ſeems partly to have deſtroyed, in the American mind, thoſe faculties by which diſgrace is felt. Our abject proſtration to vanquiſhed England is matched by our inſolence to victorious France. Perhaps a ſevere bleeding will be neceſſary to cool the violence of this national fever, this phrenzy for a French quarrel. Perhaps we muſt have two or three hundred additional millions of public debt, two or three American ſhips of war ſent to the bottom, and two or three ſea port towns reduced to aſhes. The federal faction will then begin to be reſtored to their ſenſes. Their newſpapers will ceaſe to be choaked up with lamentations for the fall of the Mamalukes, and with lampoons againſt *the leproſy of republicaniſm*.† The ſuperb diſciple of Don Quixote muſt then learn to behave with common honeſty, common decency, and common ſenſe; and, as he has copied the madneſs, he muſt learn to imitate the virtues of his maſter.

Our impatience for another war ſeems to ſhew that we have forgotten the *felicities* of the laſt. "Tobacco," ſays Mr. Jefferſon, "was leſs "than a dollar the hundred pounds. Imported articles of cloathing, or "conſumption, were from four to eight times their uſual price. A buſh-"el of ſalt was uſually ſold for an hundred pounds of tobacco."‡ Two buſhels of ſalt have actually been ſold for two thouſand pounds of tobacco. In one caſe, that quantity was recovered in an action in the city of Richmond, long after the war had ended, and after tobacco had riſen to forty-five ſhillings per hundred, ſo that this ſalt coſt ſeventy-five dollars per buſhel. This was, and this will be the firſt effect of the deſtruction of trade. The charges of fighting form a ſeparate article. From ſeven millions per annum our eſtabliſhment has, within two years, mounted to fifteen millions. But the firſt year of war will raiſe the ſum to ſixty millions. Againſt France, alſo, privateers are uſeleſs, becauſe ſhe has no merchant ſhipping.

To ſecure juſtice from England, it was not requiſite to make ſuch miſerable ſubmiſſions as we have done. A conditional ſequeſtration was quite ſufficient. In 1793, England had entertained ſome thoughts of a rupture with the United States; but the ſequel of that year put an end to her deſign. Even the bill for ſuſpending commercial intercourſe would have anſwered the purpoſe of intimidation, and this bill was rejected in

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* Vide American Annual Regiſter, for 1796, chap. 2d.

† A phraſe in the federal newſpapers.

‡ See printed letter, dated May 29th, 1792.

the ſenate,* only by the caſting vote of John Adams. Evidence has already been given of the dreadful apprehenſions of England from a ſuſpenſion of that ſort. § The additional example of the Chineſe policy deſerves to be conſidered.

In 1784, one of the Chineſe, at Canton, was killed by the accidental diſcharge of a gun on board of an Engliſh ſhip. Not only all Engliſhmen, but all other natives of Europe, were held accountable for this misfortune. The whole trade of the port of Canton was inſtantly ſtopt; and the foreigners, united in one body, prepared for defence. The gunner, who had cauſed this diſturbance, had concealed himſelf: he was diſcovered, given up, and immediately put to death. Such a fact forms a lively contraſt to the fate of Patrick Roche, and aſcertains the admirable ſuperiority of maritime police in other civilized governments over that of America. The Chineſe have not a ſingle ſhip of war, nor even a fort at Canton, which deſerves that name. The queſtion therefore is, by what means did the Chineſe hold ſuch a deſpotic aſcendency over the foreign merchants? In the paper from which this account is taken, the Britiſh Eaſt-India company have explained the nature of their dependence. They ſay, that for a ſingle ſeaſon, they ſometimes have at the mercy of the Chineſe government, property to the worth of two millions, and two hundred thouſand pounds ſterling, excluſive of country ſhips, and the riſk of an utter and perpetual extinction of the trade itſelf.†

America ſtood on the ſame vantage ground. Without ſequeſtrating a ſhilling of Britiſh debts, it was in her power to ſuſpend intercourſe. The trade of China is of much importance to England; but that of the United States is of much greater. Where China has met with one provocation, America has endured ten millions! But then, to be ſure, the court of Pekin is not crouded with Britiſh penſioners. The emperor has not compoſed a panegyric of three volumes on that maſs of infamy, the Britiſh conſtitution. He does not diſplay an oſtentatious preference of England, or a deſpicable antipathy to any other nation. He does not permit a Britiſh ambaſſador to publiſh the loweſt barrack blackguardiſm againſt him, within five hundred yards of his own fire-ſide. He does not crouch under this utmoſt degradation. He does not recant his threats againſt that ambaſſador's printer,‡ for fear of loſing his office, and left Ru-

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* On April 27th, 1794.

§ Hiſtory of 1796, chap. 3, and 7.

† See Mr. Swanwick's ſpeech on Jay's treaty, in Bache's debates, vol. 2d. p. 59.

‡ An attack on Mr. John Adams was commenced in the Britiſh Gazette, on February 20th, 1799. It was continued on the 21ſt. Hence it is plain, that the writer acted with the approbation of Robert Liſton; otherwiſe he would have been checked upon the firſt day. But to place the matter beyond all doubt, Fenno, in his *laſt ſpeech*, of March 4th, 1799, is equally ſevere upon the preſident, and this effuſion of brutality was re-printed from the Britiſh preſs.

fus King ſhould be appointed to ſucceed him. Many frightful ſtories are told with reſpect to the venality of Chineſe Mandarines. It is evident, from the fate of the gunner, that they dare not traffic in the blood of their countrymen. Canton is ſaid to contain about a million of inhabitants; yet ſuch is the accuracy of the police, that, in the midſt of this immenſe multitude, the accidental death of a private man can only be compenſated by the life of the offender. At Canton, the moſt ſplendid bribe cannot ſtifle the voice of blood, otherwiſe, the interruption of trade would have been prevented by the proffer of a round ſum. If one of the Alphabet's crew had been murdered in Hampton roads, by the captain of the Britiſh frigate, there is not the ſmalleſt probability that this circumſtance would have attracted a moment's attention. The moſt ſtupified admirer of federal dignity will not ſay that there is in this inſtance a compariſon between the American adminiſtration. and that of China. On the one ſide, we have comprehenſive regularity, minute knowledge, and inflexible reſolution. On the other ſide, we have cowardice, treachery, and a ſavage indifference to the ſafety of our fellow citizens, that is, poſitively peculiar to this country. Shoot a Creek, or a Kickapoo, and the whole tribe ariſe in arms. Kill, by mere chance, a Chineſe porter, and you ſtop the whole intercourſe of Europe with the Chineſe empire. But inſtead of revenging ſuch injuries, Mr. Adams endeavours to conceal them; while members of Congreſs, ſuch as Harper and Tracy, deny the whole hiſtory of Britiſh impreſſment.* Taking all circumſtances together, there is nothing in the annals of mankind ſo extremely contemptible as the abject ſubmiſſion of America to the inſolence of England. The little mole-hill republic of St. Marino would hardly accept of ſuch treatment from Moreau, or Macdonald, at the head of the conquerors of Italy. Our uſage by land is worſe, if poſſible, than that upon the water. Jay ſtipulated for the "full and complete compenſation" for Britiſh debts. In the debates of the ſenate on this treaty, Mr. Tazewell and general Maſon objected, that ſuch debts would come to five millions of dollars, and that the United States could not afford to pay ſo vaſt a ſum. The majority had almoſt throttled them. It was aſſerted that the whole amount could come to nothing like that ſum: but theſe debts to Britiſh merchants will extend to ſixty, or an hundred millions. How many millions, or ſcores of millions, remain to be ſubjoined, the five commiſſioners can neither tell nor gueſs.

Impartial men can aſſuredly diſtinguiſh between an argument and a nick-name; between a moral demonſtration, and the rhetoric of a bagnio; between a proſtituted hireling newſpaper, and a Congreſſional record. Apply theſe remarks to the caſe before us.

Here, in paſſing, it may be remarked that the late journeymen editor of Robert Lidon, is often upbraided, as having formerly been a Britiſh corporal. Cenſures of that kind have as much as poſſible been baniſhed from this book; yet, when a ſavage diſcharges a poiſoned arrow, it ſeems equitable to take up, and return it. Such reflections can

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NOTES.

* This they did. Vid. Hiſtory of 1796.

hardly ſerve the cauſe of liberty. Men of the moſt ſplendid fame and virtue have ſometimes aſcended from the loweſt ſtep in the ladder of fortune. "I roſe from the ranks myſelf," ſaid the major of a Britiſh regiment, to a gentleman who was joining the corps. The founder of the Chriſtian religion was born in a ſtable. It is not poverty, but depravity, *that forms an object of reproach. "I prefer," ſays Juvenal, "Achilles, "deſcended from Therſites, to Therſites, the ſon of Achilles."

The character of the corporal can never ſink to a level with that of his diplomatic pay-maſter; and of that incendiary who abuſed his privilege of franking to circulate the libels of this ruffian. In the ſeſſion of December, 1798, Mr. Charles Pinckney, and Mr. Brown, of Kentucky, ſtated, in the ſenate of Congreſs, the following fact. In the preceding ſummer, South Carolina, and Kentucky, had been overwhelmed with franks from the office of the ſecretary of ſtate. The contents conſiſted, in general, of *The revolution of Geneva*, and *The Cannibal's Progreſs*. The former gives an extravagant and fabulous account of the diſſolution of a little neſt of ariſtocrats, who had, for centuries, tormented their fellow citizens and themſelves. France extended one of her fingers, and put an end to this nuiſance, juſt as we cruſh a bug, or a hornet. The republic has alſo admitted the Genevans to the whole rights and privileges of French citizens. Theſe acts of juſtice and generoſity were worthy of the greateſt nation in the world. To fancy that ſuch a matter could be completed without bloodſhed, was like pretending to make a pudding without breaking the eggs. As for the *Cannibal's Progreſs*, it contains a maſs of impudent forgeries. But granting the whole to be true, it is not half ſo bad as the hiſtory of the Jerſey priſon ſhip. When Pickering ſent about theſe pamphlets, he well knew that they were full of lies. The object was to gain votes for the Britiſh candidates, for the ſixth Congreſs. The poſt-maſters had complained of the immenſe number of letters franked by members of the legiſlature, and it was in contemplation with the ſenate of Congreſs, to check this privilege. But Mr. Pinckney remarked, that moſt of theſe letters were on public affairs; and that, as the officers of government were under no reſtraint, they would have it in their power to deluge a whole country with pamphlets, on their own ſide of the queſtion*, while their opponents wanted an equal facility of publication. The obſervation was judicious, and the plan of reſtriction fell to the ground. All this propagation of ſlander was with a view to plunge the United States into an alliance with England, with a government on the verge of bankruptcy. Accounts from that country ſay, that for the year 1799, the Britiſh navy was to coſt fourteen millions ſterling. If ſuch is the eſtimate, the termination will be at leaſt eighteen or twenty millions. Add to this, the vaſt premiums for the loan of *the paper*; for Pitt may now ſay with St. Peter, "ſilver or gold have I none."§

NOTES.

* A reader in England will obſerve with ſurpriſe how deſpicable an animal a Secretary of State may poſſibly be.

§ An act of Parliament has declared the notes of the bank of England to be a legal tender in payment. This bank has, for two years, been inſolvent, and ſcarcely a ſingle guinea is to be ſeen in the country.

The navy cannot, then, coſt leſs than twenty millions of guineas per annum. This comes to much more than two-thirds of the prime coſt of the whole exports of England. Vaſt ſums are likewiſe wanted for the army, the intereſt of the public debt, and the penſion liſt. The total diſburſements are computed at about ſixty millions ſterling per annum. Of this ſum, about one half, more or leſs, will be added to the national debt. Pitt has proceeded on the ſame ſcale of expence for ſeveral years paſt. No man can believe that this ſyſtem has a chance for longevity; yet it is upon the Britiſh fabric of ruin that America muſt lean for ſupport, in caſe of hoſtilities with France.

Thus, the United States are to pay Mr. Pickering five thouſand dollars per annum, for franking the Britiſh ambaſſador's pamphlets. The method of collecting the federal revenue, is ſometimes as diſgraceful as that of ſpending it. For inſtance, attend to the following authentic narrative.

IN the fall of 1797, there was ſeized in the diſtrict of Norfolk and Portſmouth, the Fair Play, a ſmuggling ſchooner boat. She had on board five kegs, and two half pipes of wine, and one caſk of rum. The boat and cargo were ſold at Norfolk. The charges of ſale and ſafe keeping came to three hundred and forty-four dollars, and ſeventeen cents. The proceeds of ſale were two hundred and forty-four dollars, and twenty-five cents. Thus, the balance due to the deputy marſhal, after deducting the proceeds, which he got by the vendue, was ninety-nine dollars, and ninety-two cents, which the United States loſt by the ſeizure. But farther, government was liable to the informer, in one half of the two hundred and forty-four dollars and a quarter, for which the boat and cargo had been ſold.

	Dolls.	C'ts.
This half comes to	122	$12\frac{1}{2}$
Balance due the deputy marſhal	99	92
Total loſs to the United States,	222	$4\frac{1}{2}$

Two hundred and twenty-two dollars are but a trifling matter for a government to loſe. Yet, we muſt conſider that, until the preſent year, the public income has conſiſted almoſt entirely of impoſt, and tonnage, and that, even in 1799, they form ſeven millions and four hundred thouſand dollars, out of the ten millions of computed revenue. The queſtion then comes to be, whether you are willing to entruſt your whole eſtate in the hands of a man, who has plucked you to the value of two hundred dollars. In the bill of charge, two hundred and forty-two dollars and forty cents are ſtated for the *cuſtody of the ſchooner boat* for one hundred and fifty-three days, at one dollar and an half per day. The deputy marſhal did not much neglect his other buſineſs, or injure his perſonal conſtitution, by his fatigue in attending to the ſafety of his ward. The boat was run up into the mud, ſuffered to lie there till, as it is alledged, ſhe was rotten, and then the deputy ſold her for eight dollars. The very nails that held her together muſt have been worth twice or four times that ſum. The ſale was delayed for an hundred and fifty-three days, from

the time of ſeizure. Part of this poſtponement was with a view to the dollar and a half per day, that has been charged for the *ſafe keeping* of the boat. This imputation amounts to an abſolute certainty, which will appear from what follows. The citation of the maſter was given in September, though the account does not name the particular day. The ſtatute of congreſs, of September 24, 1789, ordains, that there ſhall be four ſeſſions in the year of each diſtrict court, and it was before this court that the caſe of the Fair Play fell to be tried. The ſeſſions of Virginia ought by this law to be held upon the third Tueſdays of March, June, September and December. Hence, the boat muſt have been condemned either in September, December, or in ſome intermediate time ; and, as the ſale did not take place till February 1ſt, 1798, the delay was evidently deſigned for ſome particular purpoſe. An old rotten hulk was kept up for five months, at an expence of two hundred and forty-two dollars ; and then ſhe was ſold for eight dollars. If an overſeer were to act in this way for but half a day, his employer would turn him off the plantation. If the boat was not condemned in September, ſhe ſhould have been ſo, for the ſeizure was made an hundred and fifty-three days, previous to the 1ſt of February, and this interval throws us back preciſely to the 1ſt of September, 1797. The caſe ought, therefore, to have been tried either on the third Tueſday of September, or of December. If the deputy marſhal, himſelf, had been to pay a third perſon for this keeping of the boat, and to receive nothing by her but theſe eight dollars, the vendue would not have been deferred till February 1ſt, 1798.

WHAT are we to think of the cuſtom-houſe officers at Norfolk, who ſuffered the boat to lie rotting for ſuch a length of time, in the mud, and who finally paſſed ſuch an exorbitant account ? All the real trouble which the deputy marſhal had to perform, could with eaſe have been overtaken in ſix hours, ſo that he was paid for his agency at the rate of fifty-ſeven dollars per hour. Out of the whole account given in by himſelf, there is only one article of caſh advanced, viz. a dollar and ſeventy-five cents, for advertiſing the ſale. The reſt is net profit by his agency.

" No man," ſays Juvenal, " reaches at once to the laſt ſtage of wickedneſs." No public officer would have paſſed this account, unleſs he had been in the habit of ſimilar tranſactions. It is highly probable that the *deputy* marſhal received but a ſmall part of the booty. " Doſt thou " think," ſays Falſtaff, " that I am to be damned gratis ?" There can be no queſtion that a thouſand affairs of this kind are annually buried in ſilence ; and ſilence, like other commodities, muſt be paid for. But the proper blame does not reſt with the comptroller of the treaſury, or the cuſtom-houſe officers, and far leſs with the deputy marſhal. This man only did what almoſt every other man would have done in his place. He knew that peculation would go forward, either with or without him ; and he took advantage of a bungling ſtatute of congreſs, to promote the intereſt of his family. In order to give complete ſatisfaction on this ſubject, here follows an exact copy of the original bill, as preſented by the deputy marſhal to the collector of the cuſtoms, and paſt at the treaſury of the United States.

" Dr. the United States pr. Otway Bird, eſq. collector of
the diſtrict of Norfolk and Portſmouth, on account

of the seizure, condemnation and sales, of the schooner boat, Fair Play, five kegs and two half pipes of wine, and one cask of rum, in account current with James Hunter, deputy marshal, Cr.	D.	C.
" 1797, Sept. To *mileage*, executing citations on five kegs of wine,	11	40
To do. on one cask of rum,	11	40
To do. on two half pipes of wine,	11	40
To do. on schooner Fair Play,	11	40
To citing the master,	1	50
To 153 days custody, at 150 cents per day,	242	40
To mileage on each decree. 11. 40,	45	60
To advertising sales,	1	75
To commission on 244. 25. at 3 per cent. per contra,	7	32
	344	17

[This is the amount of charges, and it is evident that the actual labour did not require above half a day. The mileage comes to more than ninety dollars, and the deputy resides in Norfolk: hence, although he had been paid by the yard, instead of the mile, this money might have carried him to the field of action. We come now to the other side of the account, the proceeds of sale.]

" Dr. 1798, Feb. 1. By amount of sales, viz.	D.	C.
One cask old rum, Mr. Myers,	94	
One half pipe wine, N. M'Gill,	75	
One do. William Plume,	61	
Five kegs wine, four, cash,	6	25
Schooner Fair Play, T. Stephenson,	8	
	244	25
By ball. due James Hunter,	99	92
	344	17

" *Norfolk*, February 1st, 1798—Errors excepted.
(Signed) JAMES HUNTER, Deputy Marshal."

It is impossible to read this account without a smile of indignation. The enormity of the naked statement comes home to every understanding. It could neither be aggravated by the eloquence of Cicero, nor diminished by that of Demosthenes: ninety dollars for imaginary mileage! and two hundred and forty-two dollars for the custody of a boat that sold for eight dollars! If this piece of naval architecture was much larger than a common beef tub, the wood alone was worth more than eight dollars, at the back of Mr. Hunter's chimney. The rigging and iron work must also have been valued at something. Through *such* hands pass three-fourths of the revenue of the United States; for we have no reason to suppose that the collector at Norfolk is either better or worse than the bulk of his brethren. Confidence and responsibility are annexed to his station; and the candid presumption is, that Mr. Bird would not commit

himſelf by an action offenſive to his ſuperiors. Theſe obſervations are not, therefore, made with a deſign to hurt the feelings of an individual, to whom the remarker is an abſolute ſtranger. The proper blame lies at the fountain head, that is to ſay, in the clumſy laws of congreſs. The fees of the marſhals, as fixed by that body, have long been a ſubject of complaint and diſpute, but in vain.

In the midſt of ſuch doings, a minority of the delegates of Virginia have dared to addreſs their conſtituents in theſe terms: "We derive "great conſolation in reminding ourſelves of the following facts; that "our reſources are vaſt, are annually increaſing, are managed with abiii-"ty, and diſburſed with integrity; that they are applied to the people's "good, and the people's good only, conſonant to their intention, and by "their choſen ſervants"*

As for *ability* and *integrity*, the FAIR PLAY is only one inſtance out of ten thouſand; and that the minority may no longer expoſe their want of information, they had better peruſe the following chapter.

NOTE.

* See their late counter addreſs.

Erratum—p. 88, line 21 from the top, for hogſhead read *kundred*.